PR. IV. R.C. II

APR. MAY

1975

PART IV

Section 2-C (ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNER'S SECRETARIAT

Notification No. GS 6 KUM 75.

Bangalore, dated 17th March 1975.

S. O.—935 In exercise of the powers conferred by sub-section 8) of section 10 of the Karnatak University Act, 1949 (Bombay Act 20 of 1949), the Chancellor, Karnatak University is pleased to appoint with effect from 18th January 1975, Dr. R. C. Hiremath to act as Vice-Chancellor, Karnatak University, Dharwar, till the new Vice-Chancellor appointed in accordance with the provisions of sub-section (2) of the said Section takes charge of the post.

BY ORDER

G. V. VISWANATH,
Secretary to Governor.

2334

EDUCATION AND YOUTH SERVICES SECRETARIAT

Notification No. ED 39 UAC 75.

Bangalore, dated 11/13th February 1975.

Reference:—Government Notification No. ED 681 UAC 74 dated 22/28th, October 74.

S. O 926 .—In exercise of the powers conferred under sub-section (3 of Section 32 of the Karnataka University Act 1949 (Bombay Act XX of 1949) the Government of Karnataka are pleased to sanction continuation and extension of affiliation of the Arts and Science College, Bailhongal, to the Karnataka University, for teaching the courses mentioned in Government Notification No. ED 681 UAC 74 dated 22/28th October 1974 cited above for a period of one year from June 1975, Subject to the conditions laid down by the Local Inquiry Committee and the Karnataka University.

By Order and in the name of the Governor of Karnataka,

B. N. KRISHNAPPA,
Under Secretary to Government,
2153 *Education and Youth Services Department.*

HOME SECRETARIAT

Notification No. HD 31 PCR 74

Bangalore dated 13th September 1974.

S.O 837—In exercise of the powers conferred under sub-section (8) of section 173 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Government of Karnataka hereby prescribes the form appended to this Notification for purposes of the said section.

By Order and in the name of the Governor of Karnataka.

H. VEERABHADRAIAH,
Additional Secretary to Government
Home Department.

1057

KARNATAKA

Form No.———— Charge Sheet under

District———— First Information No.———

Police Station———— Charge Sheet No.——

This Charge Sheet No.————

Order No.————

Name, address and occupation of complainant or informant.	Name and addresses of accused persons not sent up for trial whether arrested or not arrested, including absconders (show absconders in red ink)	Names and addresses of accused persons sent up for trial.	
		In custody	On bail or recognisance.
	2	3	4

INTIMATION TO

District.....

Police Station.....

Charge Sheet No.....

Date of charge Sheet .....

and FIR No.....

Magistrate's Case No.....

Despatched at A.M./P.M. on.....19

STATE POLICE

Sub-Section———Under Section

———Dated———

———Dated———Magistrate

Date———Case No.———

Date———

Property (including weapons found)with particulars of where, when and by whom found and whether forwarded to Magistrate.	Name and Addresses of witnesses.	Charge or information name of offence and circumstances connected with it in concise detail and under what section of law charged.	Reasons for filing this subsequent chargesheet Order No. with date of SP approving further investigation.
5	6	7	8

THE POLICE

This charge sheet No,.....

Date.....

Government VS Accused (Name).....

Result.....

Magistrate.....

Signature of the Investigating Officer.

EDUCATION AND YOUTH SERVICES SECRETARIAT

Notification No. ED 24 UAC 75.

Bangalore, dated 10th/13th February 1975.

Reference:—Government Notification No. ED 106 UAC 74 dated 23rd November 74.

S. O 938 .—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnataka University Act, 1949 (Bombay Act XX of 1949) the Government of Karnataka are pleased to sanction continuation and extension of affiliation of S S. Arts College and T. P. Science Institute, Sankeshwar to the Karnatak University, for teaching the courses mentioned in the Government Notification No. ED 106 UAC 74 dated 23rd November, 74 cited above, for a period of one year from June 1975, subject to the conditions laid down by the Local Inquiry Committee and the Karnataka University.

By Order and in the name of the Governor of Karnataka,

B. N. KRISHNAPPA
Under Secretary to Government,
2154 *Education & Youth Services Department.*

FOOD AND FOREST SECRETARIAT

NOTIFICATION No. AFD 45FAF 72

Bangalore dated 10th February 1975.

S.O. 939 In exercise of the powers conferred by Section 4 of the Karnataka Forest Act, 1963 (Karnataka Act 5 of 1964) the Government of Karnataka hereby,

(1) declares that it has been decided to constitute the land in the Sonandur, Gardady and Padangady Villages of Belthangady Taluk of South Kanara District, the situation and limits of which are specified in the schedule below, as reserved Forest;

(2) appoints the Forest Settlement Officer, South Kanara Mangalore to be the Forest Settlement Officer for purposes of clause (c) of sub-section (1) of the said section; and

(3) appoints the Divisional Forest Officer, Coondapur Division, Coondapur, to represent the State Government in the enquiry by the said Forest Settlement Officer.

SCHEDULE

Name of the District—South Kanara

Name of the Taluk—Belthangady

Name of the Village—Sonandur, Gardady and Padangady

Name of the Block—Sonandur Block (Bit I and II)

Field Survey Nos.—63 and 7 of Sonandur, 178/1 193/1-2, 179/1-2, 172/1, 194/1 of Gardady and 213/2 and 156/1 of Padangady villages.

Area—50.18 Hectares (124.00 acres).

Boundary Description Bit I—

North.—The demarcation line starting from station no. 15, the demarcation line runs in nearly Eastern direction over a distance of 535 links to reach station No. 16. Thence the line runs to North-East direction to station No. 17 over a distance of 390 links. The line further runs in North-West direction over a distance of 340 links to reach station No. 18. Thence the line runs in North-East direction to station No. 19 to a distance of 240 links. Then runs

in almost Eastern direction to station No. 20 to a distance of 270 links. From there it runs in nearly Eastern direction to station No. 21 to a distance of 215 links. The demarcation line further moves in South-East direction to station No. 25, passing through intermediate station No. 22 to 24 to a total distance of 1510 links. Then runs in nearly Eastern direction to station No. 26 to a distance of 295 links. Again runs in South-East direction to station No. 27 to a distance of 420 links.

The bearings and distances from station to station are as follows :—

Station Numbers		*F. Bearings in*	*Distances*
From	*To*	*degrees*	*in links*
15	16	96	535
16	17	51	390
17	18	345	340
18	19	55	240
19	20	93	270
20	21	83	215
21	22	140	334
22	23	100	228
23	24	135	418
24	25	100	530
25	26	80	295
26	27	102	420

East.—From station No. 27 the demarcation line runs in South-East direction to station No. 29, passing through middle station No. 28 over a distance of 500 links. Thence the line runs in South-West direction over a distance of 690 links to reach station No. 30. Thence the line runs to nearly Southern direction to a distance of 484 links to reach station No. 31.

The bearings and distances from station to station are as follows :—

Station Numbers		*F. Bearings in*	*Distances*
From	*To*	*degrees*	*in links*
27	28	126	250
28	29	123	250
29	30	191	690
30	31	173	484

South.—From station No. 31 the demarcation line runs in North-West direction to station No. 34 passing through middle

station Nos. 32 and 33 to a distance of 1158 links. Thence the line runs in due Northern direction to station No. 35 to a distance of 70 links. Then runs almost Western direction over a distance of 970 links to reach station No. 36. The demarcation line further moves in South-East direction to station No. 38, passing through intermediate station No. 37 over a totaldistance of 600 links. Thence the line runs to nearly Scuthern direction to station No. 39 to a distance of 390 links. Thence runs in South-West direction to station No. 40 over a distance of 154 links. Further it runs exactly in Southern direction to station No. 41 to a distance of 174 links. Then runs in almost Southern direction to station No. 42 over a distance of 240 links. Thence it runs in nearly Southern direction to station No. 43 over a distance of 173 links. Then runs in nearly Western direction to station No. 45 passing through middle station No. 44, to a distance of 464 links. The demarcation line further runs to North-West direction to station No. 48, passing through intermediate station Nos. 46 and 47 to a distance of 646 links. Then it runs in almost Northern direction to station No. 49 over a distance of 200 links. Again runs in North-West direction to station No. 52 to a distance of 679 links passing through the intermediate station Nos. 50 and 51. The line further moves to almost Northern direction to a station No. 53 to a distance of 224 links. Then runs in North-East direction to station No. 54 to a distance of 238 links. Thence it runs in North-West direction to station No. 55 to a distance of 265 links. Then the demarcation line further extends to station No. 56 in South-West direction over a distance of 196 links. Then runs almost Western direction to station No. 58 over a distance of 390 links passing through intermediate station No. 57. Thence the line further moves in South-West direction to station No. 61 passing through middle station Nos. 59 and 60 to a distance of 936 links. Then runs in nearly Southern direction to station No. 63 to a distance of 540 links passing through the middle station No. 62. From station No. 63, the line runs to South-East direction to station No. 64 over a distance of 440 links. The line further moves to South-West direction to station No. 0, passing through middle station No. 65, over a distance of 422 links.

The bearings and distances from station to station are as follows :—

Station Numbers		*F.Bearings in*	*Distances*
From	*To*	*degrees*	*in links*
31	32	297	260
32	33	286	143
33	34	331	415
34	35	360	770
35	36	267	970
36	37	158	350
37	38	166	250
38	39	170	390
39	40	194	154
40	41	180	174
41	42	177	240
42	43	189	173
43	44	264	250
44	45	265	214
45	46	328	200
46	47	326	200
47	48	324	246
48	49	2	200
49	50	285½	400
50	51	303	134
51	52	324	145
52	53	5	224
53	54	34	238
54	55	327	265
55	56	256	196
56	57	273½	190
57	58	275	200
58	59	256	266
59	60	203	330
60	61	194	340
61	62	185	230
62	63	172½	310
63	64	165	440
64	65	228	175
65	0	251	247

West.—From station No. 0, the demarcation line runs to North-West direction to station No. 3, passing through intermediate station No. 1 and 2 to a distance of 710 links. Then runs in nearly Northern direction to station No. 4 to a distance of 150 links.

Again runs in North-West direction to station No. 7 to a distance of 880 links passing through the middle station Nos. 5 and 6. From there it runs in almost Northern direction to station No. 8 to a distance of 170 links. Thence the line runs to North-East direction station No. 9, to a distance of 235 links. The line further moves to South-East direction to station No. 11, passing through middle station No. 10, to a distance of 410 links. Thence the line runs to to station No. 15, in North-East direction passing through intermediate station Nos. 12 to 14 to a distance of 1148 links and thus completes the traverse.

The bearings and distances from station to station are as follows :—

Station Numbers		*F. Bearings in*	*Distances*
From	*To*	*degrees*	*in links*
0	1	307	160
1	2	302	350
2	3	314	200
3	4	354	150
4	5	348	385
5	6	324	265
6	7	327	230
7	8	3	170
8	9	48	235
9	10	101	180
10	11	142	230
11	12	79	435
12	13	18	128
13	14	18	125
14	15	15	460

Bit II

A tie line from station No. 27 of Bit (1) is taken to station No. 66 of Bit II in 45 F.B. over a distance of 1180 links.

North.—Starting from station No. 84, the demarcation line runs to North-East direction to station No. 85 to a distance of 210 links. Thence the line runs to South-East direction over a distance of 520 links to reach station No. 86. The line further moves in nearly Eastern direction to station No. 87 to a distance of 300 links. From there it runs in North-East direction to station No. 89, passing through middle station No. 88 to a distance of 1040 links. Thence the line runs in South-East direction over a distance of 248 links to reach station No. 90.

The bearings and distances from station to station are as follows :—

Station Numbers		*F.Bearings in degrees*	*Distances in links*
From	*To*		
84	85	76	210
85	86	112	520
86	87	81	300
87	88	23	770
88	89	70	270
89	90	124	248

East.—From station No. 90, the demarcation line runs in nearly Southern direction to station No. 92, passing through middle station No. 91, to a distance of 1405 links. Thence the line runs almost in Western direction to station No. 94 passing through middle station No. 93, over a distance of 898 links. Thence the line further extends in Southern direction over a distance of 620 links to reach station No. 95. The line further moves in South-West direction to station No. 96 to a distance of 720 links. Then runs in almost Southern direction to station No. 97 to a distance of 348 links. Then runs in South-West direction to station No. 99 to a distance of 706 links passing through station No. 98. Then runs in almost Sout ern direction to station No. 100 to a distance of 330 links. Again runs in South West direction to station No. 102 to a distance of 1506 links passing through the intermediate station No. 101. Again runs in almost Southern direction to station No. 103 to a distance of 390 links. The line further moves to South-East direction to station No. 105, passing through middle station No. 104, over a distance of 770 links. Thence the line extends to a distance of 440 links in South-West direction to reach station No. 106.

The bearings and distances from station to station are as follows :—

Station Numbers		*F.Bearings in*	*Distances*
From	*To*	*in degrees*	*in links*
90	91	185	630
91	92	172	775
92	93	271	240
93	94	272½	658
94	95	180	620
95	96	205	720
96	97	182	348
97	98	243	276
98	99	222	430
99	100	177	330
100	101	204	1230
101	102	198½	276
102	103	179	390
103	104	103	600
104	105	110	170
105	106	204	440

South.—From station No. 106, the demarcation line runs in North-West direction to station No. 108 passing through middle station No. 107, over a distance of 700 links. Thence the link runs in South-West direction to station No. 109 to a distance of 480 links. Then runs in South-East direction to station No. 110 to a distance of 250 links. Again runs in South-West direction to station No. 112 over a distance of 367 links passing through the middle station No. 111. The demarcation line further move to North-West direction to station No. 116 passing through intermediate station Nos. 113 to 115, over a distance of 1258 links.

The bearings and distances from station to station are as follows :—

Station Numbers		*F.Bearings in*	*Distances*
From	*To*	*.degrees*	*in links*
106	107	304	200
107	108	297	500
108	109	199	480
109	110	157	250
110	111	193	237
111	112	255	130
112	113	300½	248
113	114	303	200
114	115	331	600
115	116	292	210

West.—From station No. 116, the demarcation line of the block runs exactly in Northern direction to station No. 66 to a distance of 190 links. Then runs in North-West direction to station No. 68, passing through middle station No. 67 to a distance of 695 links. Thence the line runs in North-East direction to a distance of 490 links to reach station No. 69. Thence the demarcation line runs in North-West direction to a distance of 570 links to reach station No. 70. The line once again runs in North-West direction to a distance of 230 links to reach station No. 71. The line further extends to South-East direction to a station No. 73 passing through intermediate station No. 72, over a distance of 817 links. Then runs in nearly Eastern direction to station No. 74 to a distance of 539 links. The line further moves in North-East direction to a distance of 529 links to reach station No. 75. Then the demarcation line runs in North-West direction to station No. 78, passing through intermediate station Nos. 76 and 77 to a distance of 1073 links. From there the demarcation line runs to North East direction to station No. 82 passing through intermediate stations Nos. 79 to 81 to a distance of 2108 links. Thence the line runs to almost Western direction to station No. 83 to a distance of 230 links. Then runs in North-West direction to station No. 84, to a distance of 153 links and thus completes the traverse.

The bearings and distances from station to station are as follows :—

Station Numbers		*F.Bearings in*	*Distances in*
From	*To*	*degrees*	*links*
116	66	360	190
66	67	346	375
67	68	347½	320
68	69	17½	490
69	70	248	570
70	71	54	230
71	72	117½	421
72	73	102	396
73	74	97	539
74	75	15	529
75	76	336½	580
76	77	341	200
77	78	345	293
78	79	59	270
79	80	29½	500
80	81	22½	600
81	82	10	738
82	83	275	230
83	84	338½	153

Right of ways—..

1. A road from Venoor—Guruvayanakere Main Road enters the block between Cairn Nos. 88 and 89 and exist the block between Cairn Nos. 94 and 95, re-enters the block between Cairn Nos. 104 and 105 and again existing between Cairn Nos. 108 and 109 and again re-enters between Cairn Nos. 109 and 110 and exist once again between Cairn Nos. 115 and 116 of Bit II and goes to Madanthare.

2. A cart track from the above roads enters the block (Bit I) between Cairn Nos. 25 and 26 and one branch of the cart track exists the block between Cairn Nos. 15 and 16 andan other branch exists the block between Cairn Nos. 50 and 49 of Bit I.

Other privileges—

1. Free grazing of cattle by the villagers.
2. Free removal of Muligrass by the villagers for *bonafide* use
3. Free removal of dry fuel by the villagers for *bonafide* use
4. Free removal of green manure leaves by the villagers for *bona fide* use.

By Order and in the name of the Governor of Karnataka,

JAYATHIRTHARAO BAPU,
Under Secretary to Government,
Food and Forest Department

FOOD AND FOREST SECRETARIAT

NOTIFICATION No. AED 153 FAF 72.

Bangalore, dated 2nd January 1975.

S. O 940 .—In exercise of the powers conferred by Section 4 of the Karnataka Forest Act, 1963 (Karnataka Act 5 of 1964) the Government of Karnataka hereby.

(1) declares that it has been decided to constitute the Land in the Kalthod villages of Coondapur Taluk of South Kanara District, the situation and limits of which are specified in the Schedule below, as reserved forest ;

(2) appoints the Forest Settlement Officer, South Kanara Mangalore to be the Forest Settlement Officer for purposes of Clause (c) of sub-section (1) of the said Section and

(3) appoints the Divisional Forest Officer, Coondapur Division, Coondapur, to represent the State Government in the enquiry by the said Forest Settlement Officer.

SCHEDULE

Name of the District—South Kanara.

Name of the Taluk—Coondapur.

Name of the village—Kalthod.

Name of the Block—Kursogudde R.F. Extn. Block I.

Survey Field No.—346.

Extent—45.324 Hectares (112.00 acres).

Boundary description:—

North.—Starting from Station No. 51 the demarcation line moves in nearly Eastern direction to station No. 1 to a distance of 318 links.

The distances and bearings from station to station are as follows :—

Station Numbers		*F.Bearings in degrees*	*Distances in links*
From	*To*		
51	1	82	318

East.—From Station No. 1 the demarcation line runs to South-East direction to station No. 2 a distance of 4000 links. Further it runs to South-east direction to station No. 7 passing through the intermediate station No. 3 to 6 to a distance of 4290 links. Further the line runs in nearly Western direction to station No. 8 to a distance of 1050 links. Thence the line runs to South-West direction to station No. 9 over a distance of 320 links. From there it runs in almost Western direction to station No. 10 over a distance of 600 links. Again runs in South-West direction to station No. 12 passing through the intermediate station No. 11 to a distance of 850 links. Thence the line runs to South-East direction to station No. 13 over a distance of 330 links. Further ir runs in nearly Southern direction to station No. 14 to a distance of 700 links. Thence it runs in North-East direction to station No. 16 passing through the middle station No. 15 to a distance of 2110 links. From station No. 1 to 16 is Reserve Forest boundary line of the Kursegudde R.F. Further the line moves to South-East direction to station No. 17 to a distance of 660 links.

The bearings and distances from station to station are as ollows :—

Station Numbers		*F.Bearings in*	*Distances*
From	*To*	*degrees*	*in links*
1	2	159½	4000
2	3	204½	1900
3	4	222½	240
4	5	203½	250
5	6	197	1700
6	7	206	200
7	8	280	1050
8	9	255	320
9	10	265	600
10	11	215	100
11	12	207	750
12	13	165	330
13	14	170	700
14	15	72	750
15	16	52	1360
16	17	131½	660

South.—From station No. 17, the demarcation line runs to South-West direction to station No. 19 passing through the intermediate station No. 18 to a distance of 1730 links. Further it runs in almost Western direction to station No. 20 to a distanet

of 760 links. From there the line runs to North-West direction to station No. 21 over a distance of 525 links. Again runs nearly in Western direction to station No. 22 to a distance of 615 links.

The bearings and distances from station to station are as follows :—

Station Numbers		*F. bearings iin*	*Distances*
From	*To*	*degrees*	*in links*
17	18	231	1130
18	19	241	600
19	20	255	760
20	21	288	525
21	22	279	615

West.—From station No. 22 the demarcation line runs in North-East direction to station No. 23 to a distance of 600 links Further it runs in nearly Northern direction to a station No. 26 passing through the middle sation No. 24 and 25 to a distance of 2000 links . Further the line moves to North-Eastern direction to station No. 29 passing through the intermediate station No. 27 and 28 to a distance of 1280 links. Thence it runs in South Eastern direction to station No. 30 to a distance of 400 links. Further the line runs in North-Eastern direction to station No. 31 to a distance of 440 links. Further the line moves in South-East direction to a station No. 33 passing through the middle station No. 32 to a distance of 585 links. Further the line runs in North-East direction to station No. 37 passing through the intermediate station No. 34 to 36 to a distance of 2075 links. Further the line runs in almost Northern direction to station No. 38 to a distance of 450 links. Then it runs in North-West direction to station No. 40 passing through the intermediate station No. 39 to a distance of 940 links. Thence the line moves in North-East direction to station No. 42 passing through the intermediate station No. 41 to a distance of 730 links. From there the line runs almost Northern direction to station No. 43 to a distance of 385 links. From there it runs in North-West direction to station No. 45 passing through the middle station No. 44 to distance of 860 links. Thence the line runs nearly Western direction to station No. 46 to a distance of 400 links. Further the line runs to North-West direction to station No. 48 passing through the middle station No. 47 to a distance of 990 links. Further the line runs to nearly Northern direction to station No. 49 to a distance of 800 links. Then it runs in North-East direction to station No. 50 to a distance of 380 links. Thence the Demarcation line runs in Northern

direction to station No. 51 to a distance of 315 .links and thus completes the traverse.

The beraings and distances from station to station are as follows—

Station Numbers		*F. Bearings in*	*Distances*
From	*To*	*degrees*	*in links*
22	23	19	600
23	24	351	830
24	25	352½	610
25	26	5	560
26	27	49	450
27	28	76	490
28	29	55	340
29	30	105	400
30	31	35	440
31	32	109	285
32	33	100	300
33	34	35	700
34	35	32	485
35	36	52	420
36	37	65	470
37	38	358	450
38	39	333	540
39	40	343	400
40	41	62	400
41	42	71½	330
42	43	5	385
43	44	331	400
44	45	338	460
45	46	262	400
46	47	349	400
47	48	300	590
48	49	6½	800
49	50	13	380
50	51		315

Right of ways—

1. A main road from Kambadakone enters the block betweer Cairn No. 31 and 32 and exist the block between station No.1 and 2 (Kursegudde R.F. Cairn No. 72 and 72A) and goes to Golihole.

2. A cart track from Kambadakone Golihole road, exist the lock between Cairn No. 28-29 and moves more or less along the western demarcation line of the block and enters the block between Cairn No. 7 and 8 and re-exist between Cairn No. 5 and 6.

Other privileges—

1. Free grazing of cattle by the villagers.
2. Free removal of Muligrass by the villagers for *bonafide* use.
3. Free removal of dry fuel by the villagers for *bonafide* use.
4. Free removal of green manure leaves of unreserved trees by the villagers for *bonafide* use.

By Order and in the name of the Governor of Karnataka

JAYATHIRTHA RAO BAPU,
Under Secretary to Government,
Food and Forest Department.

FOOD AND FOREST SECRETARIAT

Notification No. AFD 115 FAF 72.

Bangalore, dated 10th/14th February 1975.

S.O.941—In exercise of the powers conferred by Section 4 of the Karnataka Forest Act 1963 (Karnataka Act 5 of 1964) the Government of Karnataka hereby:—

(1) declares that is has been decided to constitute the lands in the Peruvaje village of Sullia Taluk of South Kanara District, the situation and limits of which are specified in the Schedule below as reserved forests;

(2) appoints the Forest Settlement Officer South Kanara, Mangalore to be the Forest Settlement Officer for the purpose of clause (c) of sub-section (1) of the said section; and

(3) appoints the Divisional Forest Officer, Mangalore Division, Mangalore, to represent the State Government in the enquiry by the said Forest Settlement Officer.

SCHEDULE

Name of the District—South Kanara

Name of the Taluk—Sullia

Name of the village—Peruvaje

Survey Field No.—19

Name of the Block—'Peruvaje Block

Extent—68.80 Hectares (170.00 acres)

Boundary description—

This block is right side of the main road leading from Puttur to Subramanya *via* Darbe Puttur and it is about 3 furlongs, away from the main road at Peruvaje junction in Peruvaje village.

North.—The boundary line of the block runs in the South-East direction to a distance of 1545 links from station No. 94 which is a newly constructed cairn No. 9 to join station No. 98, passing through intermediate station from 95 to 97. Thence it runs in

the North-East direction to a distance of 2150 links to join station No. 102 passing through intermediate station from 99 to 101. And from there it runs in the South-East direction to a distance of 450 links to reach station No. 104, passing through middle station No. 103. Thence it runs in the North-East direction to a distance of 1255 links to join station No. 106, passing through middle station No. 105. Thence it runs in the South-East direction to a distance of 530 links to reach station No. 107.

The bearings and distances from station to station are as follows :—

Station Numbers		*F. bearings*	*Distances*
From	*To*	*in degrees*	*in links*
94	95	130°.30′	600
95	96	141	495
96	97	108°.30′	215
97	98	118°.30′	235
98	99	21°.30′	325
99	100	4°.30′	415
100	101	58°.30′	210
101	102	68	1200
102	103	95	160
103	104	128°.30′	290
104	105	52	360
105	106	35	895
106	107	109	530

East.—The boundary line of the block runs from station No.107 in the South-East direction to a distance of 500 links to reach station No. 1. Thence it runs in the South-West direction to a distance of 1224 links to reach station No. 5 passing throhgh intermediate station from station No. 2 to 4. And from there it runs in South-East direction to a distance of 420 links to join station No. 6. Thence it runs in exactly Eesterly direction to a distance of 170 links to join station No. 7. And from there it runs in the South-East direction to a distance of 620 links to join station No. 9, passing through the middle station No. 8. And from there it runs in the South-West direction to a distance of 140 links to join station No. 10. Thence it runs in the South-East direction to a distance of 413 links to join station No. 12 passing through middle station No. 11. Thence it runs in the South-West direction to a distance of 663 links to reach station No. 15, passing through intermedaite station No. 13 and 14. And from there it runs in

South-East direction to a distance of 343 links to reach station No. 16. Thence it runs in the South-West direction to a distance of 210 links to join station No. 17. And from there it runs in the South-East direction to a distance of 950 links to join station No. 20 passing through the intermediate station No. 18 and 19 And thence the boundary line runs in the South-West direction to a distance of 260 links to join station No. 21. Thence the boundary line of the block runs in the North-West direction to a distance of 940 links to join station No. 24, passing through intermediate station No. 22 and 23. Thence it runs in the South-West direction to a distance of 962 links to join station No. 27, passing through intermediate station from 25 and 26. Thence it runs in the South-East direction to a distance of 1110 links to join station No. 30 passing through intermediate stations from 28 and 29. And from there it runs in the South-West direction to a distance of 742 links to join station No. 31.

The bearings and distances from station to station are as follows :—

Station Numbers		*Bearings in*	*Distances*
From	*To*	*degrees in F.B.*	*in links*
1	2	3	4
107	1	159	500
1	2	256	305
2	3	210	359
3	4	228	203
4	5	181 .30′	357
5	6	105	420
6	7	90	170
7	8	119°.30′	350
8	9	119	270
9	10	193°.30′	140
10	11	156	248
11	12	162	165
12	13	187°.30′	150
13	14	234	213
14	15	203°.30′	300
15	16	155	343
16	17	229°.30′	210

1	2	3	4
17	18	138	490
18	19	127	290
19	20	168°.30′	170
20	21	262	260
21	22	294	290
22	23	271°.30	290
23	24	287°30′	360
24	25	242°.30′	236
25	26	244°.30′	340
26	27	236°.30′	386
27	28	156°.30′	390
28	29	148	560
29	30	163°.30′	160
30	31	194°30′	742

South.—The boundary line of the block runs from station No. 31 in the North-West direction to a distance of 2170 links to join station No. 35, passing through intermediate station from 32 to 34. Thence it runs in the North-East direction to a distance of 1219 links to join station No. 39, passing through intermediate station from 36 to 38. Thence it runs in the North-West direction to a distance of 1073 links to reach station No. 43, passing through intermediate station from 40 to 42. Thence it runs in the North-East direction to a distance of 160 links to join station No. 44. And from there it runs in the North-West direction to a distence of 619 links to reach station No. 46 passing through middle station No. 45. And from there it runs in the South West direction to a distance of 2323 links to join station No. 50, passing through intermediate station from 47 to 49 Thence it runs in the North-West direction to a distance of 570 links to reach station No. 51. And from there it runs in the Southern direction to a distance of 962 links to join station No. 52. Thence it runs in the South-West direction to a distance of 1635 links to join station No. 54 passing through middle station No. 53. Thence it runs in the North-West direction to a distance of 1448 links to join station No. 57 passing through intermediate station No. 55 and 56. Thence it runs in the South-West direction to a distance of 480 links to reach station No. 58. Thence it runs in the South-East direction to a distance of 900 links to join station No. 59. Thence again it runs in the South-

West direction to a distance of 735 links to join station No. 61 passing through middle station No. 60. Thence it runs in the North-West direction to a distance of 150 links to join station No. 62. Thence it runs in South-Westerly direction to a distance of 475 links to join station No. 63. Thence it runs in the North-West direction to a distance of 310 links to reach station No. 64.

The bearings and distances from station to station are as follows :—

Station Numbers		*Bearings in*	*Distances*
From	*To*	*degrees in F.B.*	*in links*
31	32	302	240
32	33	345	910
33	34	288°.30′	300
34	35	325	720
35	36	67°.30′	446
36	37	67°.30′	213
37	38	81	288
38	39	72	272
39	40	347°.30′	290
40	41	325°.30′	454
41	42	279	185
42	43	357	144
43	44		160
44	45	298	354
45	46	309°.30′	335
46	47	259°.30′	278
47	48	237	460
48	49	215°.30′	465
49	50	228°.30′	1120
50	51	270°.30′	570
51	52	183	962
52	53	261	715
53	54	203	920
54	55	278°.30′	200
55	56	325	500
56	57	310	748
57	58	226	480
58	59	136	900
59	60	182°.30′	300
60	61	258	435
61	62	297	150
62	63	262°.30′	475
63	64	297°.30′	310

West.—The boundary line of the block runs from station No. 64 in the North-West direction to a distance of 420 links to join station No. 65. Thence it runs in the North-East direction to a distance of 1528 links to join station No. 71, passing through intermediate stations from 66 to 70. And from there it runs in the South-East direction to a distance of 780 links to join station No. 74, passing through intermediate stations from 72 and 73. Thence it runs in the North-East direction to a distance of 1545 links to join station No. 77 passing through intermediate station No. 75 and 76. Thence it runs in the South-East direction to a distance of 795 links to join station No. 78. Thence it runs in the North-East direction to a distance of 2825 links to join station No. 84 passing through intermediate station from 79 to 83. And from there it runs in the North-West direction to a distance of 985 links to join station No. 86, passing through the middle stations No. 85. And from there it runs in the South-West direction to a distance of 295 links to join station No. 87. Thence ir runs in the North-West direction to a distance of 640 links to join station No. 89 passing through middle station No. 88. And from there it runs in the North-East direction to a distance of 725 links to join station No. 91 passing through middle station No. 90. From there it runs in the North-West direction to a distance of 215 links to join station No. 92. Thence it runs in the North-Eastdirection to a distance of 985 links to join station No. 94, passing through middle station No. 93.

The bearings and distances from station to station are as follows :—

Station Numbers		*Bearings in*	*Distances*
From	*To*	*degrees in F.B.*	*in links*
1	2	3	4
64	65	346°.30′	420
65	66	39	148
66	67	28	400
67	68	47°.30′	260
68	69	59°.30′	270
69	70	43	160
70	71	76	290
71	72	165	148
72	73	127	347

1	2	3	4
73	74	103	285
74	75	80°.30	600
75	76	4°.30	690
76	77	32°.30	355
77	78	18°.30	795
78	79	89	180
79	80	15	1000
80	81	70 30'	540
81	82	66	325
82	83	21	380
83	84	11	400
84	85	285	445
85	86	282	540
86	87	253	295
87	88	277	400
88	89	322	240
89	90	23	330
90	91	58	395
91	92	350	215
92	93	9°.30'	425
93	94	40	560

—Traverse classes.

Other privileges—

1. Free grazing of cattle by the villagers.

2. Free removal of green manure leaves for *bonafide* use by the villgers.

3. Free removal of dry fuel for *boanfide* use by the villagers.

4. Free removal of Muligrass for domestic purpose by villagers.

By Order and in the name of the Governor of Karnataka,

JAYATHIRTHA RAO BAPU,
Under Secretary to Government,
Food and Forest Department.

FOOD AND FOREST SECRETARIAT

NOTIFICATION

No. AFD 150 FAF 72.

Bangalore dated 10th February 1975.

S.O.942—In exercise of the powers conferred by Section 4 of the Karnataka Forest Act, 1963 (Karnataka Act 5 of 1964) the Government of Karnataka hereby;—

1. declares that it has been decided to constitute the land in the Kukkipady village of Bantwal Taluk of South Kanara District, the situtation and limits of which are specified in the Schedule below, as reserved forest;

2. appoints the Forest Settlement Officer, South Kanara Mangalore to be the Forest Settlement Officer purposes of clause (c) of sub-section (1) of the said Section; and

3. appoints the Divisional Forest Officer, Coondapur Division, Coondapur to represent the State Government in the enquiry by the said Forest Settlemtment Officer.

SCHEDULE

Name of the District—South Kanara.

Name of the Taluk—Bantwal.

Name of the Village—Kukkipady

Name of the Block—Kukkipady Block II

Survey field No.—95/2

Area—14.16 Hectares (35.00 acres).

Boundary description—

North.—Starting from station No. 0, a point to the South of S.No. 184 of Shamavathi Karkera the demarcation line proceeds in the North-East direction to station No. 2 passing through the intermediate station No. 1 over a distance of 630 links. Then runs in the South-East direction to station No. 4 passing through intermediate station No. 3 over a distance of 760 links Then runs

in the North-East direction to station No. 8 pasing through the intermediate stations 5 to 7 over a distance of 1480 links. The runs in the South-Eastern direction to station No 11 passing through the intermediate stations 9 and 10 over a distance of 900 links. Then runs in the Eastern direction to station No. 15 passing through the intermediate stations 12 to 14 over a distance of 970 links.

The bearings and distances from station to station are as follows :—

Station Numbers		*Bearings in*	*Distances in*
From	*To*	*degrees in F.B.*	*links*
1	2	3	
0	1	60	330
1	2	80	300
2	3	101½	400
3	4	106	360
4	5	51½	430
5	6	48	280
6	7	45	290
7	8	30	480
8	9	131	400
9	10	147	230
10	11	130½	270
11	23	96	270
12	13	88	260
13	14	92	230
14	15	117	220

East.—From station No. 15 the demarcation line runs in the Eastern direction to station No.22 passing through the intermediate stations 16 to 21 over a distance of 2110 links. Then runs in the Southern direction to station No. 23 over a distance of 370 links. Then runs in the South-East direction to station No. 31 passing through the intermediate stations 24 to 30 over a distance of 1630 links. From there the demacration line runs in the Southern direction to station No. 41 passing through the intermediate station 32 to 40 over a distance of 2300 links.

The bearings and distances from station to station are as follows :—

Station Numbers		*Beaings in*	*Distances in*
From	*To*	*degrees in F.B.*	*links*
1	2	3	4
15	16	251	310
16	17	247½	270
17	18	272	300
18	19	277	270
19	20	260½	300
20	21	266	270
21	22	274	390
22	23	193	370
23	24	119½	230
24	25	74	140
25	26	118½	140
26	27	125	120
27	28	141	150
28	29	111	260
29	30	115	240
30	31	141	350
31	32	158	200
32	33	161	240
33	34	193½	260
34	35	160	470
35	36	150	160
36	37	167	140
37	38	164	180
38	39	157	190
39	40	172	150
40	41	177	310

South.—From station No. 41 the demarcation line runs in the Western direction to station No. 42 over a distance of 370 links.

The bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degrees in F.B.	Distances in links
41	42	274	370

West.—From station No. 42 the demarcation line runs in the Northern direction to station No. 47 passing through the intermediate station No. 43 to 46 over a distance of 1015 links. Then runs in the North-Eastern direction to station No. 48 over a distance of 300 links. Then again runs in the Northern direction to station No. 51 passing through the intermediate station 49 and 50 over a distance of 585 links. From here the demarcation line runs in the North-Western direction to station No. 60 passing through the intermediate station No. 52 to 59 over a distance of 2300 links. Then runs in the Western direction to station No. 63 passing through the intermediate stations 61 and 62 over a distance of 740 links. Then runs in the South-Western direction to station No. 64 over a distance of 155 links. From here runs in the Southern direction to station No. 67 passing through the intermediate stations 65 and 66 over a distance of 455 links. Then proceeds in the Western direction to station No. 69 passing through the station No. 68 ove a distance of 340 links. Then runs to North and proceeds to station No. 70 over a distance of 140 links. Then turns to East and proceeds to station No. 71 over a distance of 130 links. From here proceeds in the Northern direction to station No. 73 passing through the station No. 72 over a distance of 420 links. Then runs in the Western direction to station No. 74 over a distance of 100 links. Then runs in the Northern direction to station No. 0 passing through the intermediate station No. 75 over a distance of 360 links. Thus completing the traverse.

The bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degrees in F.B.	Distances in links
1	2	3	4
42	43	332½	280
43	44	244	180
44	45	352	140

1	2	3	4
45	46	331	195
46	47	357½	220
47	48	20½	300
48	49	343	280
49	50	346½	175
50	51	330	130
51	52	307	160
52	53	299½	400
53	54	317½	280
54	55	328	230
55	56	317	300
56	47	276½	220
57	58	307	255
58	59	292½	220
59	60	303	135
60	61	263	300
61	62	263	280
62	63	270	160
63	64	240	155
64	65	196	140
65	66	193	160
66	67	205	155
67	68	256	200
68	69	284	140
69	70	10	140
70	71	83½	130
71	72	21	180
72	73	23	240
73	74	290½	100
74	75	342½	200
75	0	18	160

Right of ways—

A cart track from Karpe enters the block between Cairn No. 7 and 8 runs across the block and leaves thebblock between cairn No. 21 and 22 and proceeds to Madame.

A foot path from Madame centers the block between cairn No. 33 and 34 and runs across the block and leaves the block between Cairn No. 51 and 52 to Hennurbail.

Other previleges--

1. Free grazing of cattle by the villagers.

2. Free removal of green manure leaves for *bona fide* use by the ryots.

3. Free removal of dry fuel for *bona fide* use by the villagers

4 Free removal of Muligrass for *bona fide* use by the royts

By Order and in the name of the Governor of Karnataka

JAYATHIRTHARAO BAPU,

Under Secretary to Government,
Food and Forest Department.

FOOD, CIVIL SUPPLIES AND LABOUR SECRETARIAT

NOTIFICATION No. AFD 43 FAF 72.

Bangalore dated 21/28th January 19 5

S. O. 943—In exercise of the powers conferred by Section 4 of the Karnataka Forest Act, 1963 (Karnataka Act 5 of 1964) the Government of Karnataka hereby—

1. declares that it has been decided to constitute the land in the Kodiyal Village of Sullia Taluk of South Kanara District, the situation and limits of which are specified in the Schedule below, as reserved forest;

2. appoints the Forest Settlement Officer, South Kanara, Mangalore to be the Forest Settlement Officer for purposes of clause (o) of sub-section (1) of the said section; and

3. appoints the Divisional Forest Officer, Mangalore Division, Mangalore, to represent the State Government in the enquiry by the said Forest Settlement Officer.

SCHEDULE

Name of the District—South Kanara
Name of the Taluk—Sullia
Name of the Village—Kodiyal
Name of the Block—Kodiyal Block II
Survey Field Number—121/1
Extent—46.54 Hectares (115.00 acres)

Boundary description—

BIT I

This block is right side of the main road leading from Puttur to Subramania via Darbe Puttur about 3miles from the above road at 14 Miles 2 F and also it is again on the right of the road leading frim the above main road to Bellare at the junction of Kodiyala-Murulia Villages.

North.—The boundary line of the block starts from station No. 27, which is a point situated at the newly constructed cairn No. 27. The Block line runs in North-East direction for a distance of 800 links to station No. 30 passing through intermediate station No. 28 and 29. From there it runs in almost South-East direction for a distance of 1202 links to reach the station No. 34, passing through intermediate station Nos. 31 to 33.
From there the line runs in North-East direction to a distance of 200 links to station No. 35. Thence it runs in South-East direction to a distance of 454 links to station No. 36. Then the line runs North-East direction to a distance of 287 links to reach station No. 37. Afterwards the line runs in North-West direction to a distance of 280 links to reach station No. 38. Thence it runs in the South-East direction to a distance of 275 links to reach station No. 39. Then it runs in North-East direction for a distance of 583 links to reach station No. 41 passing through middle station No. 40. There after the line runs in South-East direction for a distance of 426 links to reach station No. 43 passing through middle station No. 42. Thence it runs in South-East direction for a distance of 619 links to reach station No. 45 passing through middle station No. 44. From there it runs in South-East direction for a distance of 1029 links to reach station No. 48, passing through intermediate station No. 46 and 47. Thence the line runs in North-East direction for a distance of 862 links to reach the station No. 51 passing through intermediate station Nos. 49 and 50. Thereafter the line runs in North-West direction for a distance of 428 links to reach station No. 53 passing through middle station No. 52. Thence it runs in the North-East direction to station No. 54 at a distance of 308 links. Afterwards the line runs in the South-East direction over a distance of 2210 links to reach the station No. 61 passing through the intermediate station No. 55 to 60. From there it runs in North-East direction for a distance of 1145 links to station No. 65, passing through intermediate station No. 62 to 64. Thence it runs in South-East direction for a distance of 791 links to reach station No. 68 passing through intermediate station No. 66 and 67. Then it runs in the North-East direction to a distance of 145 links to reach station No. 69.

Bearings and distances from station to station are as follows:—

Station Numbers From	To	Bearings in degrees in F.B.	Distances in links
1	2	3	4
27	28	88½	200
28	29	82½	430
29	30	61	170
30	31	94	332
31	32	116	188
32	33	109	230
33	34	117½	452
34	35	76	200
35	36	97½	454
36	37	21	287
37	38	350	280
38	39	106	275
39	40	32	380
40	41	82½	203
41	42	131	276
42	43	141	150
43	44	217½	416
44	45	207	203
45	46	130	419
46	47	153½	290
47	48	130½	320
48	49	79½	180
49	50	73	250
50	51	6½	432
51	52	342½	194
52	53	353	234
53	54	68½	308
54	55	146	280
55	56	175	278
56	57	174½	305
57	58	176½	314
58	59	136½	370
59	60	157	378

1	2	3	4
60	61	97	285
61	62	81½	350
62	63	69	390
63	64	12½	140
64	65	14½	265
65	66	125	255
66	67	131	266
67	68	107	270
68	69	25	145

East.—The Eastern boundary line starts from station No. 69 and runs towards South-East direction for a distance of 610 links to reach station No. 71 passing through middle station No. 70. Thence it runs in South-West direction to reach station No. 2. over a distance of 1504 links passing through intermediate stations No. 72 to 76 and 1.

Bearings and distances from station to station are as follows:—

Station Numbers		*Bearings in*	*Distances*
From	*To*	*degrees in F.B.*	*in links*
69	70	113	405
70	71	138½	205
71	72	187	105
72	73	194	136
73	74	184	128
74	75	228½	288
75	76	233½	412
76	1	215	235
1	2	186½	200

South.—The Southern demarcation line starts from station No. 2 and runs towards South-West direction to station No. 4 for a distance of 974 links passing through the middle station No. 3. Then runs in North-West direction to station No. 5 over a distance of 141 links. From there it runs in Northern direction to station

No. A to a distance of 530 links. Then runs in nearly Westerly direction to station No. B over a distance of 803 links. Thence it runs in nearly Southern direction to station No. C to a distance of 616 links. Then runs in North-West direction to station No. 7 over a distance of 514 links passing through the middle station No. 6.

The bearings and distances from station to station are as follows :—

Station Numbers		*F. bearings in degrees*	*Distances in links*
From	*To*		
1	2	3	4
2	3	236	349
3	4	258½	625
4	5	295	141
5	A	1	530
A	B	269	803
B	C	172	616
C	6	280	194
6	7	281	320

West.—The Western demarcation line starts from station No. 7 and runs in the North-East direction for a distance of 852 links to reach station No. 10 passing through intermediate station Nos. 8 and 9. Thence the line runs in North-West direction over a distance of 3970 links to reach station No. 21 passing through intermediate station Nos. 11 to 20. From there it runs in South-West direction to a distance of 458 links to reach station No. 22. Therefrom the line runs in North-West direction for a distance of 1200 links to reach station No. 26 passing through intermediate station Nos. 23 to 25A. Finally the demarcation line runs in the North-East direction to a distance of 170 links to reach station No. 27.

The bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degrees in F.B.	Distances in links
1	2	3	4
7	8	5	260
8	9	20½	262
9	10	8½	330
10	11	313½	290
11	12	310	234
12	13	324½	290
13	14	315	390
14	15	292½	348
15	16	277	450
16	17	285½	430
17	18	284½	320
18	19	298	433
19	20	283½	435
20	21	300	350
21	22	238½	458
22	23	291½	175
23	24	317½	355
24	25	317½	485
25	25A	300	140
25A	26	295	145

Bit II

The tie line starts from station No. 6 of Bit I in 156½ F.B. over a distance of 1222 links to reach station No. 1 of Bit II.

North.—The demarcation line starts from station No. 1 runs in North-East direction for a distance of 413 links to station No. 3 passing through middle station No. 2. Afterwards the line runs in South-East direction for a distance of 805 links to reach station No. 5 passing through middle station No. 4. From there the line runs in North-East direction for a distance of 1048 links to reach station No. 8 passing through intermediate station No. 6 and 7. Thence it runs in the South-East direction for distance of 641 links to reach station No. 10 passing through middle station No. 9.

The bearings and distances from station to staion are as follows :—

Station Numbers		Bearings in	Distances in
From	To	degrees in F.B.	in links
1	2	3	4
1	2	70	175
2	3	76½	238
3	4	120	377
4	5	123½	428
5	6	63	358
6	7	62½	430
7	8	80	260
8	9	106	375
9	10	123	266

East.—Thence the line starts from station No. 10 and runs in South-West direction for a distance of 685 links to reach station No. 12 passing through middle station No. 11.

The Bearings and distances from station to station are as follows :—

Station Numbers		Bearings in	Distances in
From	To	degrees in F.B.	in links
10	11	203	498
11	12	185	187

South.—The Southern boundary line of the bit starts from station No. 12 and runs in the North-West direction to station No. 15 passing through intermediate station No. 13 and 14 over a distance of 1072 links. Thence it runs in South-West direction to station No. 16 at a distance of 170 links. From there it runs in South-East direction to a distance of 168 links to reach station No. 17. Thence it runs in South-West direction to station No. 18 at a distance of 400 links. Afterwards the line runs in almost Western direction for a distance of 666 links to reach station No. 20 passing through the middle station No. 19.

The bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degrees in F.B	Distances in links
1	2	3	4
12	13	292½	505
13	14	276½	232
14	15	283	335
15	16	185	170
16	17	164½	158
17	18	198½	400
18	19	270½	488
19	20	281	178

West.—The Western boundary line starts from station No. 20 and runs in North-West direction to a distance of 913 links to reach station No. 22 passing through the middle station No. 21. Then it runs in the North-East direction to station No. 23 over a distance of 227 links. Then the demarcation line runs in North-West direction for a distance of 410 links to reach station No. 1 passing through the middle station No. 24.

The bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degrees in F.B.	Distances in links
20	21	310½	498
21	22	310	415
22	23	52½	397
23	24	334½	210
24	1	303½	200

Right of ways—

A cart track from Ayyanakatte enters the block between Cairn No. 1 and 76 and proceeds inside the block and comes out of the block between Cairn No. 68 and 69 and goes to Punchatera.

Other privileges—

1. Free removal of green manure leaves for the bonafide use by the villagers.

2. Free grazing of cattle by the villages.

3. Free removal of dry fuels by the villagers for bonafide use.

4. Free removal of muligrass for the bonafide use by the villagers.

By Order and in the name of the Governor of Karnataka,

JAYATHIRTHARAO BAPU,

Under Secretary to Government,
Food and Forest Department.

FOOD AND FOREST SECRETARIAT

Notification No. AFD 147 FAF 72.

Bangalore, dated 17th January 1975.

S. O.944—

In exercise of the powers conferred by Section 4 of the Karnataka Farm Act, 1963 (Karnataka Act 5 of 1964) the Governmen of Karnataka hereby :—

(1) declares that it has been decided to constitute the land in the Sangabettu villages of Bantwal Taluk of South Kanara District, the situation and limits of which are specified in the Schedule below, as reserved forest ;

(2) appoints the Forest Settlement Officer, South Kanara Mangalore to be Forest Settlement Officer for purposes of clause (c) of sub-section (1) of the said section ; and

(3) appoints the Divisional Forest Officer, Coondapur Division, Coondapur to represent the State Government in the enquiry by the said Forest Settlement Officer.

SCHEDULE

Name of the District	..	South Kanara
Name of the Taluk	..	Bantwal
Name of the Village	..	Sangabettu
Name of the Block	..	Sangabettu Block I
Field Survey Number	..	110/1
Area	..	13.35 Hectares (33.00 acres)

Boundary Description

North :—Starting from station No. 14, a point to the South of Sy. No. 40 the demarcation line runs in the almost Eastern direction to station No. 16 through station No. 15 over a distance of 280 limks. Then runs in almost the Southern direction to station No. 18 through station No. 17 over a distance of 380 links. Then in the South-East direction to station No. 20 through station No. 19 over a distance of 320 links. Then to almost East to

station No. 21 over a distance of 120 links. Then in South-East direction to station No. 27 through station No. 22 to 26 over a distance of 1,080 links. Then runs almost eastern direction to station No. 28 over a distance of 140 links. Then to North-East to station No. 33 through station No. 29 to 32 over a distance of 800 links. Afterwards it runs in South-East direction to station No. 35 over a distance of 320 links passing through station No. 34.

The bearings and distances from station to station are as follows :

Station Numbers *From*	*To*	*Bearings in degrees in F.B.*	*Distances in links*
1	2	3	4
14	15	80	160
15	16	94	120
16	17	170	200
17	18	191	180
18	19	134	180
19	20	138½	140
20	21	78½	120
21	22	162	100
22	23	135	180
23	24	126	200
24	25	141	260
25	26	123½	180
26	27	129	160
27	28	92	1 0
28	29	77	140
29	30	59	140
30	31	56	140
31	32	60	140
32	33	73	240
33	34	93	180
34	35	99	140

East :—From station No. 35 the demarcation line runs in the South-West direction to station No. 40 through station No. 36 to 39 over a distance of 1,220 links. Afterwards it runs in almost Southern direction to station No. 41 over a distance of 240 links

The bearings and distances from station to station are as follows :—

Station Numbers		*Bearings in*	*Distances in*
From	*To*	*degrees in F.B.*	*links*
1	2	3	4
35	36	219	220
36	37	202	220
37	38	208	340
38	39	206	160
39	40	208	280
40	41	183	240

South :—From station No. 41 the demarcation line runs in North–West direction to station No. 42 over a distance of 280 links. Then runs in South–West direction to station No. 45 passing through station No. 43 and 44 over a distance of 420 links. Then to the North–West to station No. 51 through station No. 46 to 50 over a distance of 840 links. Then to the almost West to station No. 53 through station No. 52 over a distance of 310 links. Then runs in North–West direction to station No. 56 passing through the station No. 54 and 55 over a distance of 640 links. Again runs in almost Western direction to station No. 59 through station No. 57 and 58 over a distance of 780 links. Then runs in South–West direction to station No. 0 over a distance of 200 links. From station No. 0 it runs in North–West direction to station No. 2 passing through the middle station No. 1 over a distance of 420 links.

The bearings and distances from station to station are as follows :—

Station Numbers		*Bearinigs in*	*Distances in*
From	*To*	*degrees in F.B.*	*links*
1	2	3	4
41	42	285	280
42	43	254	140
43	44	260	160

1	2	3	4
44	45	256	120.
45	46	290	140
46	47	315	140
47	48	340	140
48	49	345	160
49	50	349	120
50	51	348	140
51	52	269	160
52	53	267	150
53	54	280	300
54	55	285	160
55	56	318½	180
56	57	273	260
57	58	271	280
58	59	269	240
59	0	207	200
0	1	325	140
1	2	297	280

West :—From station No. 2 the demarcation line runs in North-East direction to station No. 3 over a distance of 200 links. Then it runs in the North-West direction to station No. 4 over a distance of 200 links. Then runs almost Eastern direction to station No. 6 passing through the middle station No. 5 over a distance of 300 links. Then runs in the North-East direction to station No. 14 through station No. 7 to 13 over a distance of 1,300 links. Thus completing the traverse.

The bearings and distances from station to station are as follows :—

Station Numbers		*Bearings in*	*Distances in*
From	*To*	*degrees in F.B.*	*links*
1	2	3	4
2	3	15	200
3	4	326½	200
4	5	78	160

1	2	3	4
5	6	85	140
6	7	51½	120
7	8	43	120
8	9	76½	200
9	10	28	140
10	11	22½	180
11	12	26	180
12	13	35	160
13	14	36	200

Right of ways

A cart track from Moodabidri–Bantwal road enters the block between Cairn No. 54 and 55 and runs across the block and leaves the block to Panjal bail between Cairn No. 26 and 27.

Other Privileges

1. Free grazing of cattle by the villagers.
2. Free removal of green manure leaves for *bona fide* use by the villagers.
3. Free removal of drv fuel for *bona fide* use by the villagers
4. Free removal of Muligrass for *bona fide* use by the villagers

By Order and in the name of the Governor of Karnataka,

JAYATHIRTHA RAO BAPU,

Under Secretay to Government
Food and Forest Department

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SOCIAL WELFARE AND LABOUR SECRETARIAT

Notification No. SWL 67 LFB 74.

Bangalore, dated the 11th November 1974.

S. O. 945.—WHEREAS there is public emergency.

NOW, THEREFORE, in exercise of the powers conferred by Section 5 of the Factories Act, 1948 (Central Act 63 of 1948), the Government of Karnataka hereby exempts Aeronautical Development Establishment, Bangalore, from the provisions of Sections 51, 52, 53, 54, 56, and 79 of the said Act for a period of three months from 25th October 1974, subject to the conditions that,

1. the workers who may be deprived of the weekly holidays may be given compensatory holidays in lieu of all such weekly holidays which may not be allowed to them, as far as possible:

2. leave may be refused where necessary in the exigencies of service, except in case of illness, and to provide for accumulation of leave without limit, so that the workers do not lose the benefit of leave refused.

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secretary to Government,

1435 *Social Welfare and Labour Department.*

SOCIAL WELFARE AND LABOUR SECRETARIAT

Order No. SWL 675 LLD 74

Bangalore, dated 17th September 1974.

S. O. 946.—

WHEREAS the Government of Karnataka are of opinion that an Industrial Dispute exists between the workmen and the management of Hiranyakeshi Sahakari Sakkare Karkhane Niyamit, Sankeshwar on the points noted below ;

AND, WHEREAS the Government of Karnataka consider it desirable to refer the dispute for adjudication ;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947). the Government of Karnataka hereby refer the said dispute for adjudication to the Labour Court at Hubli

Points of Dispute

"Is the management of Hiranyakeshi Sahakari Sakkare Karkhane Niyamit, Sankeshwar is justified in terminating the services of Sri D. S. Samudre with effect from 25th January 1974 ?

If not, to what relief is the workmen entitled ? "

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secretary to Government,
Social Welfare and Labour Dept

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SOCIAL WELFARE AND LABOUR SECRETARIAT

Order No. SWL 668 LLD 74

Bangalore, dated 17th September, 1974

S. O 9 7.—

WHEREAS the Government of Karnataka are of opinion that an Industrial Dispute exists between the workmen and the management of Sri N. A. Sirur, Ginning Factory, Karwar Road, Hubli, on the points noted below ;

AND, WHEREAS the Government of Karnataka consider it desirable to refer the dispute for adjudication ;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No 14 of 1947) the Government of Karnataka hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute

"Are the management of the Sri. N. A. Sirur Ginning Factory, Karwar Road, Hubli, justified in refusing employment to Srivuths ( ) Abdul Salim Mahammadhusain Bhadur and (2) S. D. Pandit with effect from 16th April 1974 ?

If not, what relief the two workers are entitled to ? "

By Order and in the name of the Governor of Karnataka,

K. VYLARAIPA,

Under Secretary to Government,
Social Welfare and Labour Department.

DEVELOPMENT HOUSING, PANCHAYAT RAJ AND CO-OPERATION SECRETARIAT

Notification No. DPC 217 CMD 74

Bangalore, dated 1st May 1974.

S. O. 948 —In exercise of the powers conferred by sub-section (2) of section 154(A) of the Karnataka Agricultural Produce Marketing (Regulation) Act 1966 (Karnataka Act No. 27 of 1966) Sri P. S. U. Pradhan, K. A. S., Class I (Senior Scale) Officer, whose services are placed at the disposal of the D. H. P. C Department is appointed as Administrator, Agricultual Produce Market Committee Bagalkot, *vice* Sri Y. Rupla Naik transferred.

By Order and in the name of the Governor of Karnataka,

K. A. SESHADRI,

Under Secretary to Government.

148 [*Dev. Housing, P. Raj and Coop. Department.*

DEVELOPMENT, HOUSING, PANCHAYAT RAJ AND CO-OPERATION SECRETARIAT.

ADDENDUM No. DPC 277 EGZ 74.

Bangalore, dated 17/20th April 1974.

S. O. 949.—Substitute, the words "and *Ex-Officio* Deputy Secretary to Government" after the words "Deputy Development Commissioner," occuring in the para 1 of the Notification No. DPC 658 EGZ 73 dated 31st January 1974.

B. ANDANAPPA,

Under Secretary to Government,

88 *Devt., Housing, P. Raj and Coopn. Department.*

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR DEPARTMENT

Labour Dispute :

Industrial Dispute between the workmen and the management of Bangalore North and South Taluk Agricultural Produce Co-operative Marketing Society Ltd., 11, Misson Road, Bangalore-27.

Award of the Presiding Officer, Labour Court, Bangalore, published.

(1) Letter No. 2100/74-75, dated 4th March 1975 from Shri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 28th day of February 1975

Present :

Shri P. Srinivasacharya, B.A., LL.B.,
Presiding Officer

Reference No. 107 *of* 1973

First Party.—

L. Shivalingaiah, 121, Avalahally, G.E.F. Post, 5th Mile, Bangalore-26.

Vs.

Second Party.—

The Management of Bangalore North and South Taluk Agricultural Produce Cooperative Marketing Society Limited, 11, Mission Road, Bangalore-27.

Reference.— Government Order No. SWL 94 LLD 73, dated 31st October 1973.

AWARD

1. The State Government in their order No. SWL 94 LLD 73, dated 31st October 1973 have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below:—

"I Are the management of Bangalore North and South Taluk Agricultural Produce Co-operative Society Ltd., No. 11, Mission Road, Bangalore-27, justified in terminating the serivces of Sri L. Shivalingaiah with effect from 1st February 1970 ?

II If not, to what relief is the said workman entitled ?"

2. The first party filed his claim statement on 28th February 1974 saying that he joined the services of the second party in 1965 and was in service till his services were terminating on 1st February 1970. He was a clerk getting Rs. 230 per month. He was on leave from 17th October 1969 and for sometime he was admitted as an inpatient in the Bowring Hospital and immediately after his health was improved he came to the society on 28th April 1970 to perform his duties. To his surprise, he was informed that his services were terminated with effect from 1st February 1970 and he was served with the notices dated 31st December 1969 and 29th January 1970. He was also issued a certificate dated 30th April 1970. Thereafter he got issued a notice through his advocate on 1st August 1970, but no reply was received. Then he raised an industrial dispute which ultimately ended in this reference. He submits that the termination of the service of first party by way of retrenchment is invalid and unsustainable in law. He put in six years of continuous service when the said illegal retrenchment took place. The conditions in Section 25 of the Industrial Disputes Act are mandatory and that the second party has not complied with while effecting retrenchment. There was no enquiry before termination and

termination was effected in violation of principles of natural justice. The reasons given by the second party in the notice dated 31st December 1969 were not correct in as much it was not impossible for the second party to continue the business except at a loss as stated by employer. The principle of 'last come, first go' was viloated. It is a colourable exercise of power in as much as what the employer could not have done directly has done it indirectly. One Sri G. Subba Reddy, a junior to first party, was also retrenched but later on he was taken back to duty without giving opportunity to the first party workman and also a number of workmen were appointed subsequent to his retrenchment. The first party has not been paid his salary for October 1969 and his increments have not been paid though the same are sanctioned. Hence the order of retrenchment passed by the second party is invalid and co-operation. He prays to set aside the said order and reinstate him in his former post with continuity of service, back wages and other consequential benefits.

3. The second party filed its rejoinder on 4th June 1974 saying that this Court has no jurisdiction to adjudicate upon the alleged dispute since II Party is a co-operative society registered under the Karnataka State Co-operative Societies Act and therefore the reference be rejected as not maintainable for want of jurisdiction. Without prejudice to this contention, it is stated that the reference is regarding the "justification for terminating the services" and the question of retrenchment or otherwise has not been referred. Hence, the various allegations that the retrenchment is illegal, invalid, etc., are irrelevant and beyond the scope of the reference. The question of compensation or following the procedure in Section 25(g) and 25(h) are extraneous to the order of refernce and cannot be enquired into in the present reference. The termination of the worker is discharge simpliciter. This is evident from the fact that the management had exercised their right to discharge their employee after giving a month's notice and in the instant case Sri Shivalingaiah's services were terminated with one

month's notice. The second party was not satisfied with the work of the said employee who was employed as movement clerk. The said employee had committed misconduct as movement clerk in the movement of Milo. Further II party was not in a position to wait indefinitely for the return to duty of Shivalingaiah who had gone on medical. leave The nature of illness, namely 'Pulmanary Tuberculosis' from which the said Shivalingaiah was afflicted with, was such that it should require a long period for complete cure. Besides the said illness was contagious and thus allowing him to work without his being cured of the illness was risky and detrimental to the interests of the other employees of the II party. In addition the II party was incurring continuing losses. Hence II Party decided to discharge Shivalingaiah with one month's notice. The I Party workman was getting Rs. 163-50 at the time of termination and not Rs. 230 as alleged. The second party denied all other allegations and prayed to reject the claims of I Party in the reference.

4. In the reply statement the first party reiterating the contention taken in the claims statement has stated that the termination of the workman was by way of retrenchment. It falls within the definition of retrenchment as defined in Section 2(oo) of the Industrial Disputes Act.

5. The following issues have been framed:

1. Whether II Party proves that it was justified in terminating the services of First Party from 1st February 1970?

2. Whether II Party proves that this Court has no jurisdiction?

3. To what relief I Party is entitled?

4. Whether retrenchment as alleged by I Party is beyond the scope of this reference?

6. On behalf of the II Party one N. Karigowda, Secretary of II Party, has been examined as M.W. 1. His evidence is to the effect that he knows the I Party through the records. Ex. M. 1 is the letter of application of the I Party for appointment. Ex. M. 2 is the appointment order. Ex. M. 3 is the order of promotion as a Clerk. Ex. M. 4 is the note of the then Secretary that there were shortage of stock recoveries of the I Party. Ex. M. 5 is the letter of the I Party dated 19th November 1966 undertaking to make good of the shortages. Ex. M. 6 is another letter of similar nature. Ex. M. 7 is the notice issued to the I Party to make good to the shortages. Ex. M. 8 is the letter of I Party asking for time for 3 days to make good of the shortages. Ex. M. 9 is the notice issued to the I Party to return the advances. Ex. M. 10 is the letter from I Party reporting to duty after break in the service. Ex. M. 11 is the copy of the note from the then President granting leave for the period of suspension. Ex. M. 12 is the final notice issued to I Party to make good of the shortages. Ex. M. 13 is the service register of the I Party. Ex. M. 13(a) is the note regarding the appointment. Ex. M. 13(b) is regarding promotion. Ex. M. 13(c) is regarding the suspension. Ex. M. 13(d) is the conversion of suspension period into earned leave. Ex. M. 13(e) is the resolution terminating the services of for misconduct, etc., Ex. M. 13(f) is the Presidents order on the representation of the I Party for reconsidering the order of termination. Ex. M. 14 is the copy of the certificate sent by I Party while making application for reconsidering the case of termination. Exhibits M. 1, M. 5, M. 6, M. 7, M. 8, M. 9 M. 10, M. 12 and M. 14 bear the signature of I Party. I Party applied for 2 days leave, *i.e.*, on 29th and 30th October 1969. Then he extended the leave for another 15 days. Thereafter neither he applied for leave nor he attended the office till April 1970. The I Party's services were therefore terminated for long absence, misconduct and he was suffering from T. B. as per the certificate Ex. M. 14. They had discharged I Party by offering to pay one month's pay. Even now II Party is

ready to pay one months pay deducting all the advances received by him. The I Party was an attender and his promotion was as a Movement Clerk.

7. In cross-examination M.W. 1 has stated that that he is working in the Society from August 1971. He has no personal knowledge about the termination of the I Party. He added whatever is gathered from records, he has deposed. The contents of the counter-statement were correct. He does not remember whether any chargesheet has been served upon I Party alleging certain misconducts. Also he does not know whether any enquiry has been held in respect of those misconducts. He had appeared for the management before the conciliation officer and signed the proceedings on behalf of the management. Conciliation file is marked as Ex. W. 1. On Ex. M. 10 nothing has been written stating that there is a break in service. He has no personal knowledge of the shortages in 1966-67 relating to I Party. Ex. M. 13(f) was written after termination. In Ex. M. 13(e) there is a reference to the resolution of the Board of Director dated 5th December 1969. He has not looked into the resolution dated 5th December 1969 and he does not know the contents of the resolution. Ex. M. 13(e) does not bear the seal of the society and Secretary seal. He is not aware that M. 13(e) was written subsequent to I Party's termination. Exhibits W2 and W3 are the receipts issued by the society. Ex. W. 4 was issued by the then Secretary dated 31st December 1969. Ex. W. 5 dated 29th January 1970 was issued by the Secretary. Ex. W. 6 dated 30th April 1970 was also issued by the Secretary. Exhibits W. 7 and W. 8 are the representations. He does not know Ex. W. 8 is received by the management or not since it does not bear the management seal for acknowledgment. Ex. W. 9 is the Lawyer notice and he does not know whether any reply is sent to W. 9. Ex. W. 10 is the Annual report of the Society. I Party was terminated with effect from 1st February 1970 and he does not remember if the II Party has given one month's notice prior to termination. Except W. 5, II Party has not written any letter to I Party regarding the com-

pensation. Except medical certificate produced by I Party, he is not personally aware as to whether I Party was on leave due to sickness. He does not know if Exhibits W. 4 and W. 5 have been personally handed over to I Party when he came after his recovery from Bowring Hospital on 28th April 1970. The certificate issued on 30th April 1970 as per Ex. W. 6 is correct. One Subba Reddy was also terminated along with Shivalingaiah, I Party. One S. Narayana is the present store keeper. He does not know whether juniors to I Party have been subsequently reappointed. Ex. W. 11 is the Annual report of 1971-72. Ex. 11(a) is the Audit observation at page 35. Shivalingiah's salary for the month of October amounting to Rs. 136 was not disbursed.

8. The I Party workman, Shivalingiah got himself examined as W.W. 1 and has stated that he went on sick leave from 19th October 1969. He applied for 10 days leave along with doctor certificate. He was taking treatment, but as there was no recovery he had applied for more leave for treatment. Then he entered Bowring Hospital as inpatient and took treatment for months. After dicharge he went to report for duty. He does not remember the date. After seeing the records, he said he went to society on 28th April 1970. He received Ex. W. 4 and W. 5. He was told that society was running under loss and therefore they were retrenching the staff with effect from 1st February 1970, and his services were retrenched on 1st February 1970. He asked for a certificate. They gave him a certificate on 30th April 1970 as per Ex. W. 6. He learnt that Ex. W. 4 and W. 4 were sent by post and returned as "not found during delivery time." After that he represented his case as per Ex. W. 7 and W 8 and got issued lawyer notice as per Ex. W. 9. Ex. W. 12 is the application sent to the Labour Officer. He found one Subbareddy, junior to him, was working in the society. The society had not paid his earned wages for October 1969 and no compensation had been paid for his retrenchment. M/s. J. Sarangapani, M. S. Babajan, Mukanda Raju and G. Subba Reddy who were juniors to him, were retained in service. Before retrenching the employees the society had not put up seniority list in the

notice board nor they had intimated their respective seniority position. He was quite healthy after recovering from sickness. The shortages in the transit were inevitable. This was verified by the Directors and Secretary and they found it correct.

Therefore without holding any enquiry, he had been reinstated. That pertains to 1966 and that case had been closed long back. He has put in continuous service. He says his retrenchment was illegal; no enquiry had been held against the alleged misconduct spoken to by M.W. 1. Therefore, he prays for his reinstatement without continuity of service and full back wages.

9. In cross-examination, W.W. 1 has stated that he does not have any document to show that he extended the leave for 15 days and that he enclosed a medical certificate. After 15 days he sent another application for extension of 20 days leave. He admits that after that 20 days he did not ask for any extension of leave and for about 6½ months he did not present himself to the society. He does not know whether any notice was sent to him before termination his service. He knows the meaning of retrenchment. His retrenchment is illegal because the management had not consider seniority and juniority question before retrenchment. He volunteered that his juniors had been re-appointed. He asserts that he is not employed in Janaradhana Silk House on Avenue Road and he does not know there is such a shop. He denied the suggestion that his services have been terminated when he did not come to duty after receiving Rs. 70 and when he produced the certificate that he was suffering from T.B.

10. In re-examination W.W. 1 has stated that between 16th October 1969 and 28th April 1970 the management has not addressed any letters denying his leave nor calling for his explanation regarding his absence.

11. *Issue No. 2.*—I shall take up Issue No. 2 first as it relates to jurisdiction of this Court. Our Hon'ble High Court in Kunnimellihalli Dodda Pramanand Prathami Pattin Vyavasaya Sahakari Sangh Ltd., *vs.* Shivappa Gundappa Surad (reported in 1972(2) Mys. L.J. 327), following the authoritative declaration of the law by the Honb'le Supreme Court has held that a dispute raised by a Secretary of Society who has been dismissed, is not a matter touching the business of the society and the dispute does not fall within the scope of S. 70 of the Mysore Co-operative Societies Act, 1959. Therefore, I hold this Court has jurisdiction to adjudicate upon this reference. Accordingly, I answer Issue No. 2 against the II Party and in favour of the I Party.

12. *Issues Nos. 1 and 4.*—I shall take up the consideration of Issues Nos. 1 and 4 together as they are interconnected.

13. It is contended on behalf of the II Party that as it could be revealed from the evidence of the I Party workman himself that he applied for leave on 19th October 1969 did not report for duty till 28th April 1970 along with a medical certificate in which it was stated that he required 15 days rest. The termination was on the basis of continued ill-heath and as such the termination of the I Party by II Party was justified and it is not retrenchment as per the observations of our Hon'ble High Court in Peirce, Leslie & Co. Ltd., *vs.* Rama Molly (reported in 1965 II LLJ 41), wherein it is observed as follows :—

"So, what becomes clear from this definition is that, if the service of a workman is terminated on the ground of continued ill-health, such termination is no retrenchment and therefore, no retrenchment compensation is claimable under S. 25F of the Industrial Disputes Act and none under S. 15 of the Payment of Wages Act."

14. On the other hand, the learned advocate for the I Party relying upon the II Party's notice dated 31st December 1969 and termination order dated 29th January

1970 (Exhibits W. 4 and W. 5 respectively) submitted that it was a clear case of retrenchment as per the resolution of the Board of Directors and it is an after thought to say that it was a termination on the ground of continued ill-health. He further submitted that II Party was not aware of the illness of the I Party when it had taken the decision to retrench some of the employees on the ground of surplus labour. He attached the retrenchment order of the II Party as invalid for having not complied with the provisions of Section 25F of the Industrial Disputes Act. In the connection he relied upon the observations of the Supreme Court in Management of M/s. Willcox Buckwell India Ltd., *vs.* Jagannath and others (reported in AIR 1974 SC 1166), wherein it is observed as follows :—

" ....If the reason, which the management itself gave, was that the termination of the services was on account of surplus labour, there is no escape from the conclusion that the concerned workmen were retrenched and that could not have been done without giving them the benefits provided by the relevant provisions of the Act. As that was not done, the Labour Court was fully justified in ordering their reinstatement."

He further read the Termination Notice dated 31st December 1969 (Ex. W. 4) and streneously argued that this cannot be anything less than retrenchment. Ex. W. 4 Termination Notice dated 31st December 1969 reads as follows :—

"The following temporary officials of the society are hereby informed that the Board of Management, while taking stock of the financial position of the society in its meeting dated 5th December 1969, have noted with concern that the society has been working under loss and that as a measure to out down the items of expenditure, it resolved to reduce the staff of the society. Accordingly and also in view of the unsatisfactory work of these officials, it further resolved to terminate the services of Smt. G. Pushpaveni, Sriyuths : G. Subba Reddy, L. Shivalingaiah and G. Kempe Gowda by giving a month's notice.

Notice is hereby given to these officials that their services will be terminated after the expiry of one month from the date of the service of the notice."

15. Let me consider the first argument of the learned advocate for the II Party as to whether it was a termination on the ground of continued ill-health. As could be seen from the evidence on record, the I Party went on leave on 19th October 1969. That leave was sanctioned. Thereafter he got himself admitted in Bowring Hospital on 30th January 1970 (as per Exhibit M-14) and went to report for duty on 28th April 1970 when he was told that his services have already been terminated. In the month of October 1969 when first Party went on leave it was not confirmed that he was suffering from a disease which was contagious and not likely to be cured in a short period. It is just after one and half months on his going on leave that the Board of Directors have met and taken a decision to retrench Smt. G. Pushpayeni, Sriyuths: G. Subba Reddy, L. Shivalingaiah and G. Kempe Gowda as per Exhibit W-4 on the ground that the "society has been working under loss". This clearly shows that the plea now sought to be taken by the Second Party that the First Party was terminated on the ground of continued ill-health, is not correct. It clearly appears to be an after-thought taking advantage of the medical certificate produced by the First Party when he wanted to join duty in the month of April 1970. This finds support also from the Termination order, dated 29th January 1970 wherein it is not mentioned that First Party's services have been terminated on the ground of continued ill-health.

16. The second plea taken by the Second Party is that the services of the First Party were terminated as his work was unsatisfactory. This is tried to be supported by the evidence of the Secretary of the Second Party (MW-1) who has stated that First Party has committed misappropriation to the tune of Rs. 4,128.95 (as per Exhibit M-4)

and that he was suspended on 24th December 1966 and thereafter when he submitted his apology it was accepted and he was reinstated on 12th January 1967 as per Exhibit M-11) it is seen that no enquiry regarding this misappropriation has been held by the Second Party and no finding was given, no punishment was imposed and he was once again allowed to work as per the order, dated 30th January 1968 (Exhibit M-11). This is clearly an indication of the fact that Second Party never considered this act of the First Party as misconduct and a ground for termination of the services of the First Party which was only in the year 1970 as referred to above. So this plea which is sought to be taken now that First Party's services were terminated on the ground of misconduct and unsatisfactory work is also fit to be rejected as an after-thought.

17. The third plea taken by the Second Party is that the services of the First Party were terminated in terms of the contract as he was only a temporary worker. This is also incorrect as per the Service Records Exhibit M-13 produced by the Second Party. The First Party submitted an application for appointment on 27th February 1964 (as per Exhibit M-1). He was appointed as Attender on 23rd January 1965 as per Exhibit M-2. He was promoted as Clerk with effect from 1st July 1965 as per Exhibit M-3. He was suspended from 24th December 1966 and once again reinstated on 12th January 1967 treating the period of suspension from 24th December 1966 to 11th January 1967 as leave. From 1st February 1970 he was terminated as per Exhibit W-5. When First Party was first appointed as Attender and promoted as Clerk, the plea taken by the Second Party that First Party was only a temporary worker is without any foundation. The First Party was not a temporary worker on 1st February 1970 when his service were terminated. Therefore, this plea which is no sought to be taken by the Second Party, is also cannot be accepted.

18. It is evidence from the records that the termination of the First Party on 1st February 1970 was a clear case of retrenchment without following the mandatory provisions

of Sections 25-F, 25-G and 25-H of the Industrial Disputes Act. The Supreme Court in (1) Workmen of Subong Tea Estate *vs.* Subong Tea Estate (reported in 1964 I LLJ 333), 92 Bombay Union of Journalists and others *vs.* State of Bombay and another (reported in 1964 I LLJ 351) and (3) National Iron and Steel Co., *vs.* State of West Bengal (reported in 1967 II LLJ 23), has observed as follows :

"That being so, we must hold that the retrenchment of eight workmen, being invalid in law, cannot be said to have terminated the relationship of employer and employee between the vendee, respondent 2 and the eight workmen concerned. They are accordingly entitled to reinstatement with continuity of service; they would also be entitled to recover their full wages for the period between the date of the retrenchment and the date of their reinstatement," (1964 I LLJ 333 at 342).

"It would be noticed that this payment has to be made at the time of retrenchment, and this requirement again provides a safeguard in the interests of the workman ; he must be given one month's notice or wages in lieu thereof and he must get retrenchment compensation as prescribed by clause(b). The object which the legislature had in mind in making these two conditions obligatory and in constituting them into conditions precedent is obvious. These provisions have to be satisfied before a workmen can be retrenched." (1964 I LLJ 351 at page 357).

"As there was no compliance with Section 25 we need not consider the other points raised by the learned counsel. This conclusion receives support from the observations of this Court in Bombay Union of Journalists and others *vs.* State of Bombay and another." (1967 II LLJ 23 at page 29).

As such, the retrenchment of First Party was invalid and the First Party is liable to be reinstated with suitable back wages.

19. The learned counsel for the Second Party argued that if this case is considered as a case of retrenchment, this Court has no jurisdiction to examine the same which is beyond the scope of the reference, because reference is only to consider whether the termination of the First Party is justified or not and this Court cannot traverse beyond the terms of reference. Mr. Krishniah, learned advocate for the First Party, relying upon the definition of 'retrenchment' under the Industrial Disputes Act, submitted that retrenchment is also a termniation and reference is wide enough to cover even the case of retrenchment. Section 2 (oo) of the Industrial Disputes Act reads as follows:

"(oo) "retrenchment" means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include—

(*a*) voluntary retirement of the workman; or

(*b*) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf; or

(*c*) termination of service of a workman on the ground of continued ill-health;"

In view of this definition, there is considerable force in the argument of Shri S. Krishniah. The reference is wide enough to consider the case of retrenchment which is also a termination of service.

20. Assuming that this is not a case of retrenchment, there is no evidence on behalf of the Second Party to show that it was justified in terminating the services of the First Party with effect from 1st February 1970 for any other valid reason. As I have already pointed out, this could not have been a termination in terms of contract. If it was a dismissal on the ground of misconduct, obviously no enquiry has been held and it cannot be upheld. Viewed from any angle, I am compelled to answer the reference that the Second Party

was not justified in terminating the services of the First Party with effect from 1st February 1970. Accordingly, I answer Issues Nos. 1 and 4 against the Second Party and in favour of the First Party.

21. *Issue No.* 3.—It therefore follows that the First Party is liable to be reinstated with continuity of service. So far as the back wages are concerned, there has been lot of delay in receiving this reference after the termination of the First Party on 1st February 1970. The reference is received on 2nd November 1973. Taking all the facts and circumstances of the case into consideration, I am of the opinion that 50 per cent of the back wages would meet the ends of justice. Hency my Award.

AWARD

22. In the result, the management of Bangalore North and South Taluk Agricultural Produce Co-operative Society Ltd., No. 11, Mission Road, Bangalore -27, were not justified in terminating the services of Sri L. Shivalingaiah with effect from 1st February 1970. The First Party workman, Sri L. Shivalingaiah, is entitled to the relief of reinstatement with continuity of service and 50 per cent of his back wages. In the circumstances of the case, the parties are directed to bear their own costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

"Copy"

P. Srinivasacharya,
Presiding Officer,
Labour Court, Bangalore.

Order No. SWL 69 LLA 75, Bangalore,

dated 22nd March 1975.

S. O. 955.—

WHEREAS by State Government Order No. SWL 94 LLD 73, dated 31st October 1973 the Industrial Dispute between the workmen and the management of Bangalore North and South Taluk Agricultural Produce Co-operative Marketing Society Ltd., was referred to the Labour Court, Bangalore for adjudication.

AND, WHEREAS the Labour Court, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Dispute Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secretary to Government,

Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—Industrial Dispute between the workmen and the management of Bharat Electronics Ltd., Jalahally Post, Bangalore-13.

Award of the Presiding Officer, Labour Court, Bangalore—published.

Read the following Papers:—

(1) Letter No. 1864/74-75, dated 31st January 1975, from Sri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE

Dated this 31st day of January 1975

Present:

SHRI P. SRINIVASACHARYA, B.A., LL.B.
Presiding Officer.

Reference No. 8 of 1973

First Party.—

1. P. G. Thangappan Nair; and

2. M. K. G. Kurup, represented by the General Secretary, Bharat Electronics Employees' Union, Jalahalli P.O., Bangalore-13.

Vs.

Second Party.—

The Management of Bharat Electronics Limited, Jalahalli Post, Bangalore-13.

Reference.—Government Order No. FCL 1311 LLD 72, dated 19th January, 1973.

AWARD

1. The Government of Mysore (now Government of Karnataka) in their order No. FCL 1311 LLD 72 dated 19th January, 1973, have referred an industrial dispute exisiting between the above named parties to this Court for adjudication on the points of dispute noted below:—

"1. Is the management of Bharat Electronics Limited, Jalahalli Post, Bangalore-13, justified in dismissing the two workmen, *viz.* 1) Sri P. G. Thangappan Nair, Staff No. 1449 and 2) Sri M.K. G. Kurup, Staff No. 2592, Driver, from service?

2. If not, to what relief are the workmen entitled?"

2. The first party filed their claim statement saying that the reference had arose out of the demand notice dated 11th May 1972 made by the first party union on the second party for the reinstatement of Thangappan Nair and Kurup. The two workmen were active functioneries of the union. The management was displeased with the Union and the activities of its members. A false and interested complaint by a prejudiced person was deemed sufficient to proceed against the two workmen. Sri Kurup joined service on 4th December 1961 and Sri Thangappan Nair on 16th June 1958. A charge sheet dated 22nd November 1969 was issued to Sri Thangappan Nair alleging that he along with one Govi Kurup, driver, tried to obstruct the movement of bus near hungerstrike camp on 15th November 1969 at 5-15 P.M. and that at 8-45 P.M. on the same day the opposite party along with the same driver got into the bus and pulled out one Sri Gopal from the bus, tore his bush shirt and banian and assaulted him "why did you not stop the bus at 5-15 P.M. near the hungerstrike camp although we signalled you to slow down". An identical charge-sheet was issued to the other employee, M. K. Govi Kurup. All the allegations were vague without specifying the particular act or omission against each of the individual. This was not *bonafide* and was done with ulterior motives.

The enquiry held was a joint enquiry. There is no provision for holding a joint enquiry when the chargesheets were issued separately. This had prejudiced the first party. The workmen were not supplied with a copy of the enquiry officer's report which is violative of principles of natural justice and the standing orders. The findings recorded by the Enquiry Officer is neither that of a reasonable man nor does it flow from the evidence before him. The findings were based more on presumptions and assumptions than on reason and the materials before him. It was of no consequence to the Enquiry officer that none of the witnesses produced by the company to support the complainant, Gopal, did in fact support his version. The enquiry officer deliberately has failed to notice very many material contradictions in the evidence before him. The chargesheet was contrary to the written complaint. The enquiry officer has chosen to ignore the defence and also ignored the evidence given by Sriyuths.—M. A. Raju, Jayaram and Subburam. The findings of the enquiry officer are perverse and vitiated. The order of dismissal was not passed by an authirity who was competent to dismiss as per Standing Order. The punishing authority had ignored the extenuating circumstances while giving the extreme punishment. The punishment of dismissal was by way of victimisation and is excessive. It is therefore prayed to pass an award directing reinstatement with back wages.

3. The second party management filed objections saying that the management dismissed the two employees for proved misconduct and sought the approval of the Industrial Tribunal for the action so taken. The Industrial Tribunal was pleased to grant the approval prayed for and this dispute has now been referred. The allegation that the action taken against the first party workmen was in connection with or during the agitation carried on by the union in trade union disputes is disputed. The allegation that the management is displeased with the activities of the union is false and repudiated. It is also repudiated that a false and interested complaint of prejudiced person

was deemed sufficient to proceed against the two workmen. The allegation that the enquiry was not in accordance with the office order and the dismissal was not ordered by proper authority as per Standing Order is untenable. It is also denied that the chargesheets were vague. The allegation that the enquiry officer deliberately failed to notice the material contradictions in the evidence and other allegations are denied. The objection to the holding of a joint enquiry was an after thought. The contention that the non-supply of a copy of the enquiry officer's report constitutes violation of principles of natural justice and standing order is untenable. The allegation of victimisation is repudiated. The punishment awarded was not excessive. The two members who were dismissed had been so dealt with for proved misconduct and in accordance with the Standing Orders. Hence the contentions of the first party be rejected and the reference be answered in favour of the second party.

4. The following issues have been framed:—

(1) Whether II Party proves that it was justified in dismissing I Party (two workmen) from service ?

(2) To what relief I Party workmen are entitled ?

Issues Nos. 1 *and* 2.—

5. Both parties have not let in any evidence, but relied upon the enquiry proceedings.

6. I have perused the enquiry records. The findings of the enquiry officer are not based upon any legal evidence. The two witnesses who have been examined do not support the version of the complaint, Sri E. K. Gopal. During the enquiry, when the Enquiry Officer asked whether he knows Sri Gopal for a long time, I Party workman Sri Thangappan answered as follows :—

"Yes. We are friends. On 11th November 1969 there was a get together in Sri Gopal's house. There we had occasion to exchange some hot words. On that day

Sri Gopal told me that he would see that I am sent out of BEL and because of this he might have complained against me. Now we are friends."

There appears to be considerable force in the above explanation of the first party workman in as much as there is no corroboration of the interested testimony of the complainant. The discrepancies regarding time and the manner of incident are irreconcilable. As per Ex. P-3 True extract of Accident Register (Volume-II), Page 158, the accident had taken place "on 15th November 1969 at 9-00 p.m. in front of Cultural Hall, BEL", whereas it is disclosed from the evidence of Sri A. Subbaraman, who is said to be one of the eye witnesses, that while he was going home at about 7-15 p.m. he saw some people near the Cultural Hall and some people told him that there was some quarrel and Sri E. K. Gopal had gone to hospital and when he saw Gopal at Hospital, Gopal told him that first party workmen has assaulted him, and Subbaraman did not witness the quarrel. The complaintnt, Mr. Gopal, has stated that he received blows on his chest and back, but that is not corroborated by Dr. (Mrs.) Belliappa, who examined the complaint. According to Dr. (Mrs.) Belliappa he had swelling on the upper lip (left side) and she did not find any injury or mark on the chest or neck or back of his body. Doctor's accident report as per Ex. P-3 True extract of Accident Register is as follows:—

"Particulars of injury—Shirt is torn, 3 buttons are removed, vest is turn in front.

Injuries—of blows on chest—no visible iniury on chest and back.

Swelling of the upper lip near left side.

Treatment rendered—Analgin 1 tab. St. Cardinal 1. Gr. H. S."

With these discrepancies, the Enquiry Officer's findings are fit to be set aside as they are not based on any legal evidence. It therefore follows that the IInd Party was not justified in dismissing the two first party workmen from service and the first party workmen are entitled for reinstatement with continuity of service. So far as the back wages are concerned, I think 75% of the back wages would meet the ends of justice. Hence my Award.

AWARD

7. In the result, the management of Bharat Electronics Limited, Jalahalli Post, Bangalore-13, was not justified in dismissing the two workmen, *viz.*, (1) Sri P.G. Thangappan Nair, Staff No. 1449, and (2) Sri M. K. G. Kurup, Staff No. 2592, Driver from service. The two first party workmen are entitled to the relief of reinstatement with continuity of service and 75% of their back wages. In the circumstances of the case, the parties are directed to bear their own costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

/COPY/

P. Srinivasacharya,
Presiding Officer,
Labour Court, Bangalore.

ORDER

No. SWL 44 LLA 75, Bangalore, dated the 4th March 1975

S. O. 956.—

Whereas by State Government Order No. FCL 1311 LLD 72, dated 19th January 1973, the Industrial Dispute between the workmen and the management of Bharat Electronics Ltd., Jalahally Post, Bangalore-13, was referred to the Labour Commissioner, Bangalore, for adjudication.

And, whereas the Labour Court, Mangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, therefore, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secy. to Govt., S.W. and Labour Department.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification-I No. HMA 43 MNI 75.

Bangalore dated 31st March 1975.

S. O. 957.—WHEREAS the Government of Karnataka is satisfied that

(i) the areas the situation, survey Nos., extent and boundaries and other details of which are specified in the schedule below situated within the limits of the City Municipal Council, Mandya are a source of danger to the Health, safety and convenience of the public of these areas and of their neighbourhood by reason of the said areas being insanitary, squalid and over-crowded;

(ii) the buildings in the said areas used or intended to be used for human habitation are overcrowed and unfit for human habitation for want of repair, stability, freedom from damp, natural light and air, water supply drainage and sanitary conveniences;

NOW THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 3 of the Mysore slum areas (Improvement and clearance) Act, 1973 (Karnataka Act 33 of 1974), and in supersession of Government Notification-I No. HMA 291 MNI 74 dated 30 th December 1974, the Government of Karnataka hereby declare each of the said areas to be a slum area.

SCHEDULE

Sl. No.	Situation	Survey No. etc.	Extent	AREAS Boundaries			
				East	West	North	South
1	2	3	4	5			
			A-G				
1.	Behind Nanda Talkies	818 8.9	1-00	Halla	Over bridge approached road	Railway line.	Health office fencing compound
2.	By Eastern side of Tamilians colony.	—	5-25	Govt. High School compound	General Hospital	Karnataka Hostel and D.M.O. quarters.	Municipal road
3.	Jayaram Layout	136 /16	0-18	Shankara Nagar Layout.	Housing Board Colony.	S. No. 134/16 belongs to Coikka S/o Karisiddaiah and others.	Halla
4	Near Sugar Factory.	620	4-08	Sri C. B. Dvaith's House.	Sugar Factory colony.	Nayee Halla.	Sugar Factory quarters.
5	Sugar Factory and own land in front of Girija Talkies.	816 817 819	5-20	Sugar Factory Employees colony.	Sugar Factory road and church	Railway line.	New M. C. Road.
6	Near Kalamma Temple.	845	0-20	Over bridge approach road.	Drains (open).	Old M.C. Road.	Railway quarters.
7	Nalabandavadi.	792	2-17	Open drain	Malbariya Mosque.	Sugar Factory road.	Old M.C. Road and Laxmijanardhanaswamy Road.

8	Swathantrapalya and Shankaranagara (Eastern side of Municipal water works).	...	17-19	Borewell pump-house road.	Municipal water works fencing.	Poor Hinda Block 5th cross	Chandagal lay-out.
9	Hosahallitank bed and Gurmat.	...	3-00	Old Aniyambadi Road.	New Aniyambadi Road.	Nagegowda's land.	Hosahalli village.
10	Pourakarmikas colony.	...	1-00	Labour colony Main road.	M. D. Siddaramaiah's house	Municipal Pourakarmikas quarters.	Municipal land.
11	Guthalu colony, Harijan's colony.	...	2-02	G. K. Ramachandru Rice mill.	S No. 415 (private land).	Guthalu Society building.	Voni
12	Guthalu and Sugar Factory land behind Venugopal Shishuvihar (Jaibharath school North side).	464 486	5-00	S No 486 private land.	Guthal Muslim Block road.	Swarna Sandra Road.	School Venugopal Shishuvihar & Jaibharath school
13	Behind Slaughther house	...	0-18	Slaughther house & Toddy shop.	P. Srinivasaiah Rice Mills.	Shivalli Road.	Mariyappa Rice Mill.
14	R. P. C. W. S. Society Rice Mills Area.	...	0-06	Sankar Mutt.	Wet land.	Rice Mill compound.	Old M. C. Road.
15	Mandya Tank bed area.	...	1-12	Tank.	Shivalli Road and Society.	Tank.	Old M. C. Road.

By Order and in the name of the Governor of Karnataka.

K. G. RAJANNA,
Under Secretary to Government,
Health and Municipal Admn Department.,

2476

1893

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 82 MNI 75.

Bangalore, dated 31st March 1975.

S. O 953.—WHEREAS the Government of Karnataka is satisfied.

that the areas the situation survey Nos. extent and boundaries and other details of which are specified in the Schedule below situated within the limits of the Town Municipal Council, Arsikere are a source of danger to the health, safety and convenience of the public of these areas and of their neighbourhood by reason of the said areas being insanitary, squalid and over crowded;

2. the buildings in the said areas used or intended to be used for human habitation are overcrowded and unfit for human habitation for want of repairs, stability, freedom from damp, natural light and air, water supply, drainage and sanitary conveniences;

NOW, THEREFORE, in exercise of the powers conferred by sub section (1) of Section 3 of the Mysore Slum Areas (Improvement and clearance) Act, 1973 (Karnataka Act 33 of 1974), the Government of Karnataka hereby declare each of the said areas to be a slum area.

SCHEDULE

Sl. No.	Situation	Survey No.	Extent	Boundaries
1.	Left side of Hassan Road	Municipal Land	48,000 Sq yards	*East* :—Storm Water drain and coconut garden *West* :—Hassan Arasikere Road *North* :—Railway line. *South* :—Private land.
2.	Right side of Hassan Road	,,	do	*East* : Hassan Arasikere Road. *West* :—Private land. *North* :—Railway line. *South* :—Municipal land.

By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA.
Under Secretary to Government,
2477 *Health and Municipal Administration Department.*

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PART IV

Section—2-C (ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—Industrial Dispute between the workmen and the management of the Chief Engineer (General) K. S. E. B. and Superintendent Engineer (Electrical) Munirabad.

Award of the Presiding Officer, Additional Industrial Tribunal, Bangalore, published.

Read the following Papers :

(1) Letter No. AIT 662/74-75, dated 3rd February 1975, from Shri G. S. Bhagwat, Presiding Officer, Additional Industrial Tribunal, Bangalore-20.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL, BANGALORE.

Dated : This 31st Day of January, 1975.

Present

Shri G. S. Bhagwat, B.A., LL. B., *Presiding Officer.*

A. I. D. No. 22 of 1973.

Workmen of Mysore State Electricity Board, Munirabad, represented by the President, Mysore State Electricity Board Employees' Union, Local Committee, Munirabad.

—I-Party.

Vs.

The Management of Mysore State Electricity Board (Chief Engineer) (General) and Superintending Engineer (Electrical), Munirabad. —*II-Party*.

Apperances :

For the I-Party.—Sri H. I. Basha Saheb, President, Karnataka Electricity Board Employees' Union, Local Committee, Munirabad.

For the II-Party.—Sri B. C. Prabhakar, Joint Secretary Mysore State Employers' Association, Bangalore.

AWARD

The Government of Mysore now Karnataka being of opinion that an industrial Dispute existed between the workmen and the management of the Mysore State Electricity Board (Chief Engineer) (General) and Superintending Engineer, (Electrical) Munirabad, in exercise of the powers conferred on the State Government under Section 10 Sub-Section 1 clause (d) of the Industrial Disputes Act, by their Order No. SWL 916 LLD 73 dated 29th August, 1973 referred the said dispute to the Additional Industrial Tribunal at Bangalore and set down the following points of dispute for adjudication :

"I. Is the Superintending Engineer Electrical Mysore State Electricity Board, Munirabad, justified in refusing to promote Sri Vemanna, G. Unnikrishna, S. S. Samual and G. Rudrappa as II Grade Clerks with effect from 18th July 1959, 5th August 1960, 3rd October 1963 and 21st December 1965 respectively and to grant the consequential benefits from the date of their appointment?

II. If not, what relief are the above said workmen entitled to ?"

2. On receipt of the aforesaid reference it came to be numbered as A. I. D. No. 22/73 on the file of this Tribunal. Notices were issued to both the parties to file their statement of demands.

3. Workmen of Mysore State Electricity Board Munirabad (hereafter called as the I-party) sent their claim statement by post and received in this office on 29th July 1973. The contentions of the I-party are these: The spirit of the Award in A. I. D. 14/66 is that the services of the persons named in the reference as 2nd Grade Clerks should have been regularised from the date of entry into service and if this was done they would have been elegible for promotion from the respective date of passing the qualified examination or from the date of promotion of their juniors as 1st Grade clerks whichever is earlier. The management of Mysore State Electricity Board overlooked their seniority by violating Section 10 Sub-Section 1 clause (d) of the Industrial Disputes Act and not implementing the spirit of the Award in A. I. D. 14/66. Hence the prayer of the I-party is that their seniority should be fitted under the appropriate place in the seniority list and issue promotion orders from the date of their junior promoted as 1st Grade clerk and also pay the financial benefits duly fixing their pay from the day of their junior who has already reported for duty as a 1st Grade clerk and is earning higher emoluments.

4. The management of Mysore State Electricity Board by Chief Engineer Bangalore (hereafter called the II-party) filed its counter statement on 29th November 73. The II-party management resisted the claim of the I-party on the ground that it is based on wrong assumption of facts and the reference itself is bad and submitted that it is liable to be rejected; on this count alone. Without prejudice to the above contention it was further contended that the II-party has complied with the Award in A. I. D. 14/66 by absorbing the I-party members in permanent vacancies in

the first phase itself. The language of the Award is clearly intended not to give any retrospective operation to it. In view of the Award the present reference for recognising appointment otheryise than in accordance with the Award cannot form the basis for the dispute. The claim for promotion depended not merely upon seniority but upon merit which is a matter entirely within the discretion of the management. This Tribunal cannot go into the question of the merits of the I-party members for promotion in the absence of any unfair labour practice or *malafides*. There is not even an allegation of *malafides* or unfair labour practice. In any event the claim of the I-party claiming seniority over others is not justifiable in this proceeding and hence submitted that the reference be rejected.

5. The 2nd member of the II-party adopted the counter filed by the I-member of the I-party.

6. On the above pleadings the following additional issues incidental to the main points of dispute were set down on 16th February 1974 for determination:

1. whether the reference made is bad for reasons stated in para one of the counter.

2. whether the II-party proves that the present reference does not form the basis of dispute in view of the previous Award ?

7. In support of their claim that their services should have been regularised from the date of entry into service and if this was done they would have been eligible for promotion from the respective date of passing the qualified examination or from the date of promotion of their juniors as 1st Grade clerks. W. W-1 Unnikrishna was examined and Ext. W-1 was marked on behalf of the I-party.

8. Per contra to show that the management of the II-party has fully complied with the Award in A. I. D.

14/66 by absorbing the I-party members in permanent vacancies in the first phase itself and in view of this Award the present reference for recognising appointments otherwise than in accordance with the Award cannot form the basis of a dispute and the rule governing in seniority M. W-1 D. S. Srikantaiah, Superintending Engineer, K. H. B., Munirabad was examined and Exts. M-1 to M-9 were marked on behalf of the II-party.

9. Shri B. C. Prabhakar appearing for the II-party invited my attention to the reference and the claim statement and submitted that the reference does not include the question as to whether persons mentioned therein as 2nd Grade clerks should have been regularised from the date of entry into service and if this was done they would have been eligible for promotion earlier. Undoubtedly these were not matters covered by the reference. The issue that is referred for adjudication, as I read the reference is whether the Mysore State Electricity Board is justified in refusing to promote the persons named therein as 2nd Grade clerks with effect from the dates mentioned therein. It is clear from the claim statement itself that there is no dispute regarding the promotion of these persons as 2nd Grade clerks. It is therefore abundantly clear that the claim statement filed by the I-party is based not upon the precise issue referred for adjudication, but on considerations not covered by it. It is well settled that the pleadings of the parties can be looked into only to clarify the points of dispute set out in the order of reference, but cannot be allowed to alter the terms of reference or the basis of the reference. There is no doubt that the Tribunal can go into the matters incidental to the dispute. Looking at the reference in this case from these points of view the contentions of Sri Basha Saheb for the I-party that the services of the I-party should have been regularised from the date of entry into service and if this was done they would have been eligible for promotion earlier cannot be accepted, as the contentions set forth in the claim statements are not incidental to the main

dispute. Further it would totally alter the scope of reference. The wordings of the reference are clear. What is stated in the reference is whether the Mysore State Electricity Board is justified in refusing to promote the persons named therein as 2nd Grade clerks with effect from the dates mentioned therein. But there is no dispute regarding their promotion as 2nd Grade clerks as is clear from the claim statement itself. In the circumstances what can be said in this case is that the Government of Mysore which made the reference did not clearly understand the exact nature of dispute between the parties. What has been referred to is quite different from what the I-party intended. Shri Basha Saheb for the I-party frankly conceded that if the reference is taken on the face of it, he cannot support the reference as it does not represent the real nature of dispute.

10. Shri B. C. Prabhakar learned Council for the II-party invited my attention to the observation of the Madras High Court reported in Ramamurthy verses Tirunelveli District National Plantation Workers' Union, (1963 I LAB LJ 507) Madras where the scope of Section 10 (4) has been explained as follows:

"Section 10 (4) of the Industrial Disputes Act, 1947 makes it clear that when a reference is made to a Labour Court for adjudication it shall confine its adjudication to the point of dispute referred for adjudication. If the reference is made on an incorrect assumption, it is certainly not open to the Industrial Tribunal while so holding, to enlarge, by its own choice, the scope and widened the issues for decision and feed for enquiry including the evidence".

Following the aforesaid decision I am clearly of the view that the contention now raised by the I-party in their claim statement is beyond the scope of the reference. Reference as it is worded is not supported by the I-party and on this count alone the reference must fail.

In this view of the matter the questions comprised in other issues do not arise for the consideration, the Tribunal having no jurisdiction to deal with those questions.

In the result this reference fails and the same is rejected.

Each party will bear this or its own costs.

G. S. BHAGWAT,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

ORDER No. SWL 45 LLA 75, BANGALORE, DATED THE 28TH FEBRUARY, 1975.

S. O. 959.—

WHEREAS by State Government Order No. SWL 916 LLD 73, dated 29th August 1973, the Industrial Dispute between the workmen and the management of The Chief Engineer (General) K.S.E.B. and Superintendent Engineeer (Electrical) Muniraad, was referred to the Additional Industrial Tribunal, Bangalore, for adjudication.

AND, WHEREAS the Additional Industrial Tribunal Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette*.

By Order and in the name of Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—Industrial Dispute between the workmen and the management of Inter Continental Trading Corporation, Bangalore-54.

Award of the Presiding Officer, Industrial Tribunal, Bangalore, published.

Read the following Papers :

(1) Letter No. I.T. 913/74-75, dated 3rd February 1975, from Shri M. C. Konnur . Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL, KARNATAKA, BANGALORE.

Dated 27th January 1975

Present

Sri M. C. Konnur, LL.B., *Presiding Officer.*

I.D. No. 16 OF 1973

The Workmen of Inter-Continental Tra ling Corporation, Bangalore *I Party*

Vs.

The Management of Inter-Continental Trading Corporation, B-88, Industrial Estate, Bangalore-54 *II Party*

Appearances

For the I Party—None present

For the II Party—None present.

Reference

Government Order No. FCL 309 LLD 73, dated 29th May 1973.

AWARD

The State Government, being of opinion, that an Industrial Dispute existed between the workmen and the management of Inter-Continental Trading Corporation, B-88, Industrial Estate, Bangalore-44, referred the dispute by its Order No. FCL 309 LLD 73, dated 29th May 1973 to this Tribunal under Section 10(1)(d) of the Industrial Disputes Act, 1947, for adjudication on the folllowing points:—

I. Are the workmen of Inter-Continental Trading Corporation, B-88, Industrial Estate, Bangalore-44, justified in demanding:—

(a) Implementation of recommendations of the Chairman and independent members of Central Wage Board for Engineering Industries with effect from 1st November 1969.

(b) Two sets of uniforms and two pairs of shoes per year.

(c) Grant of 10 days casual leave with wages per year.

(d) 8 days sick leave with wages per year.

(e) That all the workmen who are on the rolls of the Company as on date of the demand notice shall be absorbed as permanent workmen.

II. If not, what relief the abovesaid workmen are entitled to ?

2. Notices were issued to the parties. The workmen, who are represented by the Secretary, Bangalore Industrial Estate Workers Union, is referred hereinafter as the I Party and the Management of Inter Continental Trading Corporation, B-88, Industrial Estate, Bangalore-44, is referred hereinafter as the II Party. After the notices were issued, it was the II Party which filed its statement first and submitted in its statement that they are manufacturers of machinery required for the plywood industry against orders and that there is no continuous production of machinery or components. Theirs is a registered small scale industry started in 1968 on an allotted site measuring 60'×40' in the Industrial Estate at Rajajinagar accommodating about 30 to 35 workmen. It is stated that they had increased the salary of the workmen in 1972 after taking into consideration the increase of cost of living index and had paid bonus also. They had recruited additional workmen for the extra work carried over from the last quarter of 1971 and as they were required to vacate the additional space occupied by them and as there was 25 per cent power cut imposed, they had to contemplate retrenchment of some workmen. To their surprise, the management received a strike notice from the I Party Union in the first week of January 1973 and the management had replied that it was uncalled for and that the management thought of considering the increase in wages in March 1973 and it was impossible to consider all the demands raised by the I Party in view of the financial

stringency and the management was, however, prepared to negotiate and come to mutual settlement with the workmen. In spite of that, the strike was continued and management was put to considerable loss. The conciliation proceedings failed and the management effected the retrenchment and the retrenched workmen accepted the retrenchment compensation. Though the industry is an Engineering Unit, it will not fall within the recommendations of the Engineering Wage Board. It is further contended that the workmen who were on the Rolls of the II Party as on 31st May 1973 had approached the management and had expressed their desire for mutual bilateral settlement and after negotiations, the settlement was arrived at between the workmen and the management of the II Party under Section 18(1) read with Section 2(p) of the Industrial Disputes Act on the pending issues such as revision of pay scales, permanency, uniforms, casual leave and annual bonus etc. and the settlement is valid for 3 years from 1st April 1973. A copy of the settlement has been sent to the Secretary to Government, Labour Department and other authorities is envisaged under Rule 59(4) of the Industrial Disputes (Mysore Rules). The workmen of the II Party are thus no where connected with the dispute and the I Party has no *locus standi* to take up their cause as the points of dispute under reference have already been mutually settled and the settlement is legally binding on the workmen and is in force.

3. The I Party, by its statement, then submitted that the settlement alleged by the II Party is illegal and not binding on the I Party Union which, according to the I Party, appeared to have been obtained under coercion and threats of retrenchment and dire consequences. It was submitted that the workmen were not for the settlement and they had authorised the Union to state that the settlement is not binding on them. The I Party reiterated their claim for enhanced wages, area allowance recommended by the Wage Board for Engineering Industry at 10%

of the basic wages, Dearness Allowance and for providing uniforms, shoes, casual leave and sick leave and also for confirming temporary or casual workmen.

4. In addition to the points of dispute scheduled in the Order of Reference, the following Issues arising out of pleadings were framed:—

1. Whether there has been a valid settlement binding on the workmen (I Party) as contended by the Management (II Party) ;

2. If so, whether the reference is not liable to be rejected on that ground ;

3. To what reliefs, if any, the I Party workmen are entitled?

5. When the matter came up for evidence before this Tribunal adjournments were sought and it was submitted that there was a possibility of settlement and negotiations were in progress. Adjournment was once again sought on behalf of the I Party submitting that the negotiations were still in progress. Subsequently, the I Party and its representative remained absent and took no interest in the matter. Both the parties evinced no interest and remained absent.

6. As pointed out above, it was the II Party who filed its statement first and the I Party had denied the alleged settlement stated to have been arrived at between the workmen and the management of the II Party. It was also alleged by the II Party that all the workmen who were on the Roll on 31st May 1973 have entered into a settlement on the points in dispute and the settlement is effective for a period of 3 years from 1st April 1973 and

as such, it is binding on the workmen under Section 18(1) read with Section 2(p) of the Industrial Disputes Act and the Reference, therefore, has to be rejected. In this regard, the I Party submitted that the alleged settlement is illegal and not binding on the I Party Union as according to the I Party, the so called settlement appears to have been obtained by coercion and threats of retrenchment and that the workmen had authorised the Union to say that the settlement is not binding on them. The II Party has produced the memo of settlement which covers all the points of dispute under Reference and it is signed by as many as 25 workmen. The copy of the settlement is also sent to the Government, Labour Department and the other authorities.

7. The issue referred for adjudication to this Tribunal casts the burden on the workmen of the II Party as to whether they were justified in putting forth their demands. As pointed out above, the workmen have remained absent and have not evinced any interest in pursuing their demands. Obviously, it appears that the management has arrived at a settlement as averred by them and it is an overall settlement covering the demands under Reference. The workmen were not interested in prosecuting this Reference. In the circumstances, therefore, the Reference will have to be disposed of either as settled out of court or for non-prosecution.

8. In the result, the Reference is disposed of for non-prosecution. No order as to costs.

(Dictated to the stenographer, transcribed by him and corrected by me).

M. C. KONNUR,
Presiding Officer,
Industrial Tribunal.

Order No. SWL 46 LLA 75,

Bangalore, Dated the 6th March 1975.

S.O. 960.—

Whereas by State Government Order No. FCL 309 LLD 73, dated 29th May 1973, the Industrial Dispute between the workmen and the management of Inter Continental Trading Corporation, Bangalore, was referred to the Industrial Tribunal, Bangalore, for adjudication.

And, Whereas the Industrial Tribunal, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, therefore, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
2327 *Social Welfare and Labour Department.*

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE & LABOUR DEPARTMENT

Labour Dispute.—Industrial dispute between the workmen and the management of M/s. Rodricks Auto Diesel Service, Kadri, Mangalore.

Award of the Presiding Officer, Industrial Tribunal, Bangalore-20—published.

Read the following papers.—

(1) Letter No. IT-998/74-75, dated 14th February 1975 from Sri M. C. Konnur, Presiding Officer, Industrial Tribunal, Bangalore-20.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA, BANGALORE

Dated 18th February 1975

Present :

Sri M. C. Konnur, LL.B. *Presiding Officer*

I.D. No. 34 of 1972

I Party.—

Workmen represented by the President, Motor and General Mazdoor Sangh, Felix Pai Bazaar, Mangalore-1.

Vs.

II Party.—

The Management of M/s. Rodricks Auto Diesel Service, Kadri, Mangalore.

Appearances

For the I Party.—None present.

For the II Party.—Sri G. K. Shevgoor, Advocate, Mangalore.

Reference

Government Order No. FCL 836 LLD 72, dated 19th September 1972.

AWARD

The State Government being of opinion that an industrial dispute existed between the workmen and the Management of M/s. Rodricks Auto Diesel Services, Mangalore, referred the dispute by their Order No. FCL 836 LLD 72, dated 19th September 1972 under Section 10 (1) (d) of the Industrial Disputes Act, 1947 to this Tribunal for adjudication on the following points :—

1. Are the workmen of M/s. Rodricks Auto Diesel Service, Kadri, Mangalore, justified in demanding the introduction of pay scales to different categories of workmen as shown below :

1. Helpers, Watchman, Cleaners and Attenders Rs. 105—5—130.

2. Assistants and Store Keepers Rs. 130—7½—160—10—210.

3. Fitters and Blacksmiths Rs. 175—10—225—15—300.

4. Welders, Painters, Turners, Electricians Rs. 160—10—210—15—285.

While fitting the present workers in the above new scales, weightage should be given to them based on their length of service.

2. If not, are they entitled to any other relief ?

2. The workmen represented by the President, Motor and General Mazdoor Sangh hereinafter referred to as the I Party filed their claim statement. It is alleged that the II Party is a renowned Automobile Repair Workshop employing about 60 workmen and that there is no regular scale of pay for the employees though annual increments were being given by the Management and that the present salaries of the I Party-workmen were far below the starting salaries and pay scales recommended by the Engineering Wage Board which have been accepted

by the State Government. It is stated that the scales of pay demanded by the I Party start with a lesser minimum than those recommended by the Wage Board. The I Party has proposed four groups for the existing categories of workmen, the 1st group consisting of Helpers, Watchmen, Cleaners and Attenders classified as unskilled workmen, the second group consisting of Assistants and Storekeepers classified as semi-skilled, the third group consisting of Fitters and Blacksmiths and the fourth group consisting of Welders, Painters, Turners and Electricians classified as skilled workmen in the pay scales mentioned above in the Order of Reference. It is also stated that weightage should be given while fixing the salary of each workman in the scales considering the length of service. It is also alleged that the II Party is a flourishing Workshop and has financial capacity.

3. The Management referred to hereinafter as II Party filed its Counter Statement contending, in the first instance, that the Motor and General Mazdoor Sangh is not entitled to represent the workmen of the II Party-Management and as such the reference is bad in law and is liable to be rejected. It is contended that the II Party is giving handsome salaries to its staff and paying annual increments though there is no regular scale of pay introduced to its workmen, and that the existing wages paid in similar establishments in the same industry in South Kanara District are much below the wages paid by the II Party and that there are no pay scales in eixstence even in such larger establishments in the District. It is also contended that the II Party is making small profits and as the wage bill is comparatively very high, it is not possible to bear any more financial burden by introducing any pay scales. It is submitted that the II Party is not an engineering establishment within the purview of the Engineering Wage Board. It is an Automobile Repair Shop within the purview of the Minimum Wages Commttee for Automobile Engineering Industry set up by the Government. This Committee has not so far made its

recommendations to the Government. The groupings of various categories of workmen suggested by the I Party are not feasible and practicable for reasons explained and it is pointed out in their Counter statement, that the grouping of Welders, Blacksmith, Fitters, Painters, Turners and Electricians in one group is not proper. It is also pointed out that the period suggested for promotion is too short and that the workmen cannot be promoted and it is not possible to promote the workmen on the basis of length of their service and the question of giving weightage does not arise while fixing them into groups suggested by the I Party.

4. The issue framed as arising out of the pleadings is whether the I Party-workmen are entitled to pay scales and weightage as claimed by them in view of the contentions raised by the II Party.

5. When the matter came up for evidence at Mangalore Camp, adjournments were sought and finally the President of the I Party Sangha, who represented the I Party-Sangha, submitted that he had retired from the case and that he had informed the I Party also. The II Party then examined one witness (MW-1) and closed its side.

7. MW-1 is the Manager of the II Party and he has stated that there are about 65 workmen in their concern. He has stated that there are many other similar concerns, where more than 100 workers are employed, having better financial capacity. It is also stated that their concern is situated away from the city. It is stated by him that no pay scales are introduced in any of the similar concerns in this district. He has given the wages actually paid to the various categories of workers in their establishment and it is also stated that their workers cannot have any grievances either as regards pay scales or as regards any other thing, and that, in fact, they have been paying their workmen more than what they have demanded and that the increments were being paid according to their efficiency, regularity and conduct.

8. As pointed out, it was contended, in the first instance, by the II Party in their Counter Statement that the Motor and General Mazdooor Sangha is not entitled to represent the workmen of the II Party and it was not admitted that the majority or any substantial number of workmen of the II Party were members of the Sangha. MW-1 stated that the I Party-Sangha does not represent the majority of the workers or even a substantial number. He stated that according to him none of their workmen are members of the I Party-Sangha. In view of this contention taken by the II Party, it is upto the I Party to show that the I Party-Sangha was entitled to represent the workmen of the II Party. It is to be noted that Sri Prabhakar Ghate, as the President of the I Party-Sangha had authorised one Sri Mahabala Bhat who appeared in this case. When the matter came up for evidence, it was represented that Sri Mahabala Bhat had ceased to hold the office, and adjournment was sought. Further adjournment was sought on the ground that Sri Prabhakar Ghate was out of station. Finally, it is Sri Prabhakar Ghate, who, as the President of the I Party-Sangha had filed the claim statement, submitted that he was retiring from the case and that he had informed the I Party-Sangha. It was not submitted by Sri Prabhakar Ghate that he no longer holds the post of the President of the I Party-Sangha. In the circumstances, it is difficult to reconcile the submission and the obvious inference is that the I Party-Sangha is not in a position to represent the workmen of the II Party and the contention that the I Party-Sangha is not entitled to represent the workmen of the II Party has to be upheld.

9. In the result, the claim is rejected. No order as to costs.

(Dictated to the Stenographer, transcribed by him and corrected by me).

M. C. KONNUR,
Presiding Officer,
Industrial Tribunal, Bangalore.

ORDER

No. SWL 63 LLA 75, Bangalore, dated the 10th March 1975

S.O. 961.—

Whereas by State Government Order No. FCL 836 LLD 72, dated 19th September 1972 the industrial dispute between the workmen and the management of M/s. Rodricks Auto Diesel Service, Kadri, Mangalore, was referred to the Industrial Tribunal, Bangalore, for adjudication.

And whereas the Industrial Tribunal, Bangalore, has submitted to the State Government its award in respect of the said industrial dispute.

Now, therefore, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette*.

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secy. to Govt., S.W. and Labour Department.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—Industrial Dispute between the workmen and the management of Prapancha Press, Traffic Island, Hubli.

Award of the Presiding Officer, Labour Court, Hubli, published.

Read the following papers.—

(1) Letter No. LCH/2121/74-75, dated 25th January 1975 from Sri H. L. Narayana Gowda, Presiding Officer, Labour Court, Hubli.

BEFORE THE LABOUR COURT AT HUBLI

Reference ID (LCH) Claim No. 44/1974

Present :

SRI H. L. NARAYANAGOWDA, B.A.,LL.B.,
Presiding Officer.

Date: 25-1-1975

Claimant.—

Sri F. M. Karajigi Badamiyaver Oni, Opposite Hebbali Madivalappa's House, Post : Unkal, Hubli.

Vs.

Respondent.—

The Management of Prapancha Press, Traffic Island, Hubli.

G.O. No. SWL 458 LLD 74, dated 6th July 1974

JUDGMENT AND AWARD

Government of Karnataka have made this reference under clause (c) of sub-section (1) of Section 10 of the I.D. Act 1947 referring the dispute between Sri F. M. Karjagi, Ex-Watchman of Prapancha Press, Hubli and the Management of Prapancha Press, Hubli for adjudication on the following points of dispute:—

"1. Are the Management of Prapancha Press, Traffic Island, Hubli, justified in terminating the services of Sri Fakeerappa Maleppa Karjagi with effect from 29th March 1974

2. If not, what relief the worker is entitled to ?"

2. The claimant in his claim statement states as follows:—

The claimant was appointed as watchman-*cum*-worker in the Prapancha Printing Press on 24th April 1965 and he was receiving his pay at Rs. 85 p.m. He was working there from 7-40 P.M. to 8-30 A.M. daily. On 28th March 1974 the claimant remained absent for one day due to severe headache. On 29th February 1974 he presented himself to press at 7-30 P.M as usual. At about 9-00 P.M. Manager came there and stopped him from saying that his services are not more required. Then the claimant approached the Proprietor but the proprietor told him that he is helpless in the matter. Thereafter the claimant approached the Labour Officer and conciliation officer to redress his grievance. The conciliation Officer tried his level best to settle the dispute but due to the arrogant attitude of the Management the conciliation proceedings were ended in failure. The conciliation Officer tried his levelbest to settle the domestic enquiry and condemned the claimant unheard. This action of the Management is illegal, unjust and contrary to the rules of natural justice. Therefore the claimant

prays that the court may order his reinstatement with full backwages.

3. The Respondent in his written statement pleads as follows :

It is not true that the claimant was appointed as watchman-*cum*-worker in the Prapancha Printing Press on 24th April 1965 and it is not true that he was receiving Rs. 85 p.m. as salary. It is not true that he was working from 7-30 P.M. to 8-30 A.M. daily. On the oral request of the claimant, he was asked to work on a purely temporary basis, as a watchman on the monthly salary of Rs. 75 only. The claimant used to be regularly irregular in discharging his duties. He used to come to office according to his own sweet will and conveniences. At all times he who used to be in the office was to ask about his delay and the absence from duties without taking prior permission. But the claimant used to give some lame excuses for such absences and lapses. Some how the Manager used to warn him and to allow him to work. This has continued from the very inception of the appointment of the claimant. All the efforts of the Management to improve the working conditions of the claimant had become futile. Thus the Management with a liberal view and lemincy continued the work of the claimant on purely temporary basis. The claimant was only a temporary worker in the Respondent's office. The claimant is not particular in serving in this office. He used to treat this service only as a side work. By this attitude the Respondent sustained heavy loss by losing the articles in theft. Inspite of the repeated warnings and many opportunities the claimant did not improve his service conditions. Recently the claimant began to treat the Manager if he was asked about his irregularities. Then the concerned staff began to note down his absences and lapses in the Register maintained for the same. The copy of the said Register was already submitted and it is on record. It is not true that on 28th March 1974 the claiment remained absent for one day due to severe headache and

further it is false to allege that on 29th March 1974 he presented himself to press at 7-30 P.M. as usual and the Manager stopped him his work and further it is not true that the Manager told him that his services are no more required and further it is not true that the claimant approached the proprietor and it is not true that the proprietor told him that he is helpless in the matter. The claimant was a temporary servant. On 27th March 1974 the Manager and the proprietor advised the claimant not to remain absent without intimation to the office in order to make alternative arrangements to avoid theft of the properties. The petty thefts of the articles of the Respondent office has become the order of the day. In the course of discussion on 27th March 197., the claimant himself has positively told the Manager and the Proprietor of the respondent office that the claimant is not in a position to heed the advise and also the claimant positively told that he is not ready to work if the respondent office pressed for the same. The claimant admitted that his work in the Respondent's office is only a side work. Therefore the delay and other lapses and absences are bound to happen and he told that he is not responsible for the thefts. The claimant's attitude was not proper. The claimant himself told to the Respondent that he does not wish to continue to work in the Respondent's office from 28th March 1974 and he told to the Respondent to make alternative arrangement. At the instance of the claimant the alternative arrangement was made after waiting for two days. The claimant himself left the service of the Respondent voluntarily. Under such circumstances the question of issuing the notice or other formalities will not arise. The claimant is not entitled for any relief. It prays that the reference may be rejected with costs.

4. In support of its case the Respondent has adduced no evidence, either oral or documentary. It has remained *exparte*. The claimant has examined himself as W.W.-1 and closed.

5. I have perused the records and heard Sri P. G. Wadikar, learned representative for the Claimant. Sri C. S. Mummigatti, learned advocate for the Respondent is not heard.

6. The claimant as W.W. 1 has stated that he was working as watchman in the Respondent Press. He was doing work in the Respondent Press from 7-30 P.M. to 9-00 A.M. He worked in the Respondent Press from 1965. He was getting pay of Rs. 85 P.M. On 27th March 1974 he was not doing well. He did not attend the Press on that day. On the next day at about 6-50 P.M. he attended the Press. Till 9-00 P.M. the Respondent Management kept quite. At 9-00 P.M. the Manager asked him not to come. He came home. For three days he went to the Proprietor's house, but without any responses. Then he approached the Labour Officer on 1st April 1974. The Management did not attend the conciliation. Thereafter the dispute has been referred to this Court. It is not true that he was not attending regularily. No chargesheet was that he was not attending regularly. No chargesheet was taken. There was no domestic enquiry. He prays that he may be reinstated with backwages.

7. Though the Respondent has filed written statement it has not taken part in further proceedings. It has remained *exparte*. The claimant sweares that without chargesheet and domestic enquiry his services have been terminated. I accept his evidence. The Respondent has terminated the services of the claimant without any domestic enquiry. The claimant must be reinstated. No backwages will be awarded as it is pleaded that the claimant was regularly irregular in his attendance.

AWARD

I order the Respondent should reinstate the claimant in service. No backwages are allowed. No costs.

(Dictated to the Stenographer, transcribed and typed by him and corrected by me and then pronounced in the Open Court).

Hubli — (Sd.) H. L. NARAYANAGOWDA,
Presiding Officer,
25-1-1975 — *Labour Court, Hubli.*

"True Copy"
H. L. NARAYANAGOWDA,
Presiding Officer,
Labour Court, Hubli.

ORDER

No. SWL 39 LLA 75, Bangalore, dated 28*th February* 1975.

S.O. 962.—

Whereas by State Government Order No. SWL 458 LLD 74, dated 6th July 1974 the Industrial Dispute between the workmen and the management of Prapancha Press, Traffic Island, Hubli, was referred to the Labour Court, Hubli, for adjudication.

And, whereas the Labour Court, Hubli has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, therefore, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION

No. AFD 70 /FAF 74, dated 6th September 1974.

S. O. 964.—In exercise of the powers conferred by Section 4 of the Karnataka Act, 1963 (Karnataka Act 5 of 1964), the Government of Karnataka Mysore hereby—

1. declares that it has been decided to constitute the land Ajri and Siddapur villages of Coondapur Taluk, South Kanara District, the situation and limits of which are specified in then schedule below, as reserved forest;

2. apoints the Forest Settlement Officer, South Kanara Mangalore to be the Forest Settlement Officer for purposes of clause (c) of sub-section (1) of the said section; and

3. appoints the Divisional Forest Officer, Coondapur Division, Coondapur to represent the State Government in the enquiry by the said Forest Settlement Officer.

SCHEDULE

Name of the District: South Kanara

Name of the Taluk: Coondapur

Name of the Village: Ajri and Siddapur

Name of the Block: Doddinamane R.F. Extn. Block II

Field S. Nos.: 159 of Ajri village and 284, 349, 320, 311/2A, 316, 446/2, 427/2, 398/2 of Siddapur village.

Area: 122, 22 Hectares (302.00 acres.)

Boundary Description—

North.—Starting from station No. 96 Cairn No. 94 at a point of Western side boundary line of Doddanamane R.F. The demarcation line runs nearly in Southern direction to station No. 98, passing the intermediate station No. 97 to a distance of 619 links. thence the line runs nearly in Eastern direction to station No. 100 passing through intermedicate station No. 99 to a total distance

of 1920 links. From there the line runs in South-East direction to station No. 101 passing the middle station No. 101, a distance of 676 links. Thence the line runs almost in Southern direction to station No. 104 passing through middle station No. 103 to a total distance of 772 links. From there the line runs in North East direction to station No. 109 passing through the middle station Nos. 105 to 108 to a distance of 1934 links. (Station Nos. 96 109 run along the Doddinamane R.F. boundry line).

The bearings and distances from station to station are as follows :—

Station From	*Numbers to*	*F Bearings in degrees*	*Distances in links*
96	97	173	279
97	98	170½	340
98	99	95	780
99	100	84	1140
100	101	148½	398
101	102	163	278
102	103	185	600
103	104	179	172
104	105	36	578
105	106	34½	440
106	107	26	297
107	108	30½	256
108	109	17½	363

East.—From station No. 109 the demarcation line runs in nearly Southern direction to station No. 110, a distance of 289 links. From there the line runs in South-East direction to station No. 114, passing through the intermediate station Nos. 111 to 113 to a distance of 1090 links. Thence the line runs nearly Southern direction to station No. 115 over a distance of 245 links. Thence it runs in almost Southern direction to station No. 116 over a distance of 213 links. From there the line runs in South-Western direction to station No. 121, passing through the middle station Nos. 117 to 120 to a distance of 1793 links. Thence it runs in almost Western direction to a station No. 122 to a distance of 390 links. From there it runs in South-Western direction to station No. 127, Passing through middle station Nos. 123 to 126 over a distance of 1384 links. Thence the demarcation line runs in almost Southern direction to a station No. 128 to a distance of

402 links. Thence it moves in South-Eastern direction to station No. 132 passing through the intermediate station Nos. 129 to 131 to a distance of 1853 links. Thence it runs almost in Eastern direction to station No. 133 to a distance of 375 links. From there the line runs in South-East direction to station No. 135, passing throuhg the interm diate station No. 134, a distance of 579 links. Thence the line runs nearly in Southern direction to station No. 136 a distance of 283 links. From there the line runs in South-East direction to station No. 144 passing through the intermediate station Nos. 137 to 143 over a distance of 28. 6 links. Thence the line runs in North-East direction to station No. 147, passing through the intermediate station Nos. 145 and 146, a distance of 890 links. From there the demarcation line runs nearly in Northern direction to station No. 148, a distance of 297 links. From there the line runs in North-East direction to station No. 150, passing through the middle station No. 149 a distance of 574 links. Thence the line runs in South -East direction to station No. 151 to a distance of 140 links. From there the demarcation line runs in South-West direction to station No. 154 over a distance of 1081 links, by passing middle station Nos. 152 and 153. Thence the line runs in South -East direction to station No. 158, passing through the middle station No. 155 to 157 to a distance of 1365 links. Thence it runs in North-Eastern dtirecion to station No. 159, a distance of 204 links. Thence the demarcation line runs nearly in Eastern direction to station No. 160, a distance of 100 links. From there it runs in South -Eastern direction along Sannahole to station No. 162 passing through the intermediate station No. 161 over a distance of 485 links. Afterwords it runs almost in Southern direction to station No. 163, a distance of 278 links. Thence the line moves in South-West direction to station No. 167 over a distance of 1023 links, passing through the intermediate station No. 164 to 166. Thence it runs almost in Western direction to station No. 168, a distance of 210 links. Thence the line moves in South-Western direction to station No. 169 over a distance of 497 links.

The bearings and distances from station to station are as follows :—

Station From	*Numbers to*	*F Bearings in degrees*	*Distances in links*
109	110	173	289
110	111	152	224
	112	146	313

112	113	147½	287
113	114	153	266
114	115	170½	245
115	116	177½	213
116	117	199	308
117	118	215	393
118	119	205½	488
119	120	200	310
120	121	259½	294
121	122	266	390
122	123	192½	437
123	124	232	267
124	125	213½	386
125	126	203	410
126	127	216½	484
127	128	184½	402
128	129	153½	297
129	130	159½	303
130	131	127½	353
131	132	102½	900
132	133	95	375
133	134	139	361
134	135	138½	218
135	136	170½	283
136	137	166	357
137	138	158½	382
138	139	165	340
139	140	169	414
140	141	156	493
141	142	121½	448
142	143	136	200
143	144	143	222
144	145	41½	192
145	146	49½	205
146	147	33	493
147	148	10	297
148	149	35½	297
149	150	40½	277
150	151	115	140
151	152	206½	400
152	153	193	365
153	154	212	316
154	155	159	348
155	156	168	446

156	157	110	242
157	158	135	329
158	159	78	204
159	160	81	100
160	161	141	250
161	162	135	235
162	163	185	278
163	164	257	193
164	165	190½	410
165	166	203	290
166	167	213½	130
167	168	265	210
168	169	217	497

South.—From station No. 169, the demarcation line runs in nearly Western direction to station No. 1, a distance of 146 links. Then runs in North-West direction to station No. 3, passing through the intermediate station No. 2 to a distance of 393 links. Thence the line runs nearly Western direction to station No. 4 to a distance of 218 links. Thence it runs in South-West direction to station No. 5, a distance of 350 links. From there it moves in nearly Northern direction to station No. 6, a distance of 242 links. Thence the line runs in North-East direction to station No. 8, a distance of 515 links, passing through the middle station No. 7. Then runs in almost Northern direction to station No. 9 to a distance of 270 links. Thence it runs in due North to station No. 10 over a distance of 419 links. From there it runs in North-West direction to station No. 17 passing through intermediate station Nos. 11 to 16 over a distance of 2052 links. From there the line runs in South-West direction to station No. 19 passing through the middle station No. 18 a distance of 662 links. Then runs in North-West direction to station No. 22, passing through the middle station Nos. 20 and 21, a distance of 1418 links. Thence the demarcation line moves in North-Eastern direction and reaches the station No. 24 by passing through middle station No. 23 to a distance of 1049 links. Then runs in North-Western direction to station No. 26, passing through the intermediate station No. 25, a distance of 1290 links. Thence the line goes almost in Western direction to station No. 27, distance of 545 links. Then moves in South-Western direction to station No. 28, a distance of 538 links. From there the demarcation line goes in North-West direction to station No. 29 to a distance of 742 links. From there it runs in nearly Western direction to station No. 30 to a distance of 477 links. Then it moves in North-

West direction to station No. 32, passing through the middle station No. 31 to a distance of 1057 links. Then moves in South-Western direction to station No. 38, passing through the middle station No. 33 to 37, over a distance of 3331 links. Then runs in almost Western direction to station No. 40, passing through middle station No. 39 over a distance of 1108 links.

The beardings and distances from station to station are as follows :

Station From	*Numbers to*	*F bearings in degrees*	*Distances in links*
169	1	263	146
1	2	325½	160
2	3	325	233
3	4	264	218
4	5	255	350
5	6	7	242
6	7	49	287
7	8	19	228
8	9	358	270
9	10	0	419
10	11	339	315
11	12	324	159
12	13	331½	256
13	14	337½	160
14	15	314½	362
15	16	305½	308
16	17	307	192
17	18	238½	362
18	19	241	300
19	20	296	350
20	21	316	379
21	22	344	689
22	23	58	765
23	24	61	284
24	25	301½	655
25	26	313	635
26	27	271½	545
27	28	259	538
28	29	302	742
29	30	263½	477
30	31	319½	675

31	32	289	382
32	33	224	647
33	34	224	376
34	35	257	620
35	36	230	549
36	37	232	474
37	38	256	665
38	39	267	678
39	40	272	430

West—From statoin No. 40 the demarcation line runs in North-East direction to station No. 41, a distance of 1160 links. From there it moves nearly in Eastern direction to station No. 42 over a distance of 842 links. Thence it runs in almost Eastern direction to station No. 43, a total distance of 571 links. Then the demarcation line goes in North-East direction to station No. 47, passing through the intermediate station Nos. 44 to 46 over a distance of 2074 links. Then runs in nearly Northern direction to station No. 48, a distance of 459 links. Thence the line runs nearly in Western direction to station No. 49, to a distance of 628 links. From there the demarcation line moves in South-Western direction to station No. 50, a distance of 463 links. Thence it runs in almost Western direction to station No. 51 to a distance of 333 links. From there the demarcation line runs in North-West direction to station No. 54 over a distance of 1255 links passing through the middle station No. 52 and 53. From there it runs almost in Northern direction to station No. 55, a distance of 538 links. Thence it runs in North-East direction to station No. 56 to a distance of 455 links. Then runs nearly in Eastern direction to station No. 57, a distance of 452 links. From there it runs in South-East direction to station No. 59, passing through the middle station No. 58 to a distance of 930 links. Then moves in North-Eastern direction to station No. 61, passing through middle station No. 60 to a distance of 806 links. Then the demarcation line runs in Eastern direction to station No. 62 to a distance of 328 links. Then moves to station No. 65 in South-East direction passing through the middle station No. 63 and 64 over distance of 950 links. Then moves in North-East direction to station No. 67 passing through the middle station No. 66 to a distance of 572 links. Thence it runs in South-Eastern direction to station No. 71, passing through the middle station Nos. 68 to 70 over a distance of 1111 links. Then moves in North-East direction to station No. 75, passing through the intermediate station Nos. 72 to 74 ove,

a distance of 1474 links. Then goes nearly in Northern direction to station No. 76 to a distance of 493 links. Thence it runs in due Northern direction to station No. 77 over a distance of 445 links. Again runs in nealry Northern direction to station No. 78 to a distance of 375 links. Then moves in North-East direction to station No. 79, a distance of 434 links. From there the line runs in nearly North direction to station No. 80 to a distance of 340 links. From there the demarcation line moves in North-Western direction to station No. 81, a distance of 535 links. From there it runs in almost Western direction to station No. 82, a distance of 1175 links. Then moves in South-Western direction to station No. 87, passing through middle station No. 83 to 86 over a distance of 1955 links. Thence it goes in North-Western direction to station No. 89, passing through the middle station No. 88, a distance of 530 links. Then moves almost in Northern direction to station No. 91, passing through middle station No. 90, a distance of 687 links. From there the demarcation line goes in North-West direction to station No. 96, passing through the intermediate station Nos. 92 to 95 over a distance of 1485 links and close the traverse.

The bearings and distances from station to station are as follows :—

Station From	*Numbers to*	*F. bearings in degrees*	*Distances in links*
40	41	12½	1100
41	42	84	842
42	43	94	571
43	44	35	686
44	45	22½	387
45	46	55	512
46	47	64	489
47	48	310½	439
48	49	262	628
49	50	258	463
50	61	266	333
51	52	288	355
52	53	306	530
53	54	295	370
54	55	4	538
55	56	15	455
56	57	84	452
57	58	180	470

58	59	141	160
59	60	51	478
60	61	61½	328
61	62	89½	328
62	63	113	370
63	64	124	320
64	65	118	260
65	66	49	320
66	67	51	252
67	68	114½	272
68	69	119	254
69	70	127	345
70	71	114½	240
71	72	76½	331
72	73	51½	340
73	74	52	377
74	75	26	426
75	76	8	493
76	77	0	445
77	78	354	375
78	79	19	434
79	80	9	340
80	81	337½	535
81	82	275	1175
82	83	239½	288
83	84	216	477
84	85	205½	388
85	86	228	472
86	87	232	330
87	88	325½	168
88	89	327½	362
89	90	95	360
90	91	356	327
91	92	59	463
92	93	46	335
93	94	45	217
94	95	30½	268
95	96	41	202

Travers closes

Public Right of Way

1. A cart track coming from the main P.W.D. Road near Siddapur enters into the block between Cairn No. 14—15, runs in the Northern direction and comes out of the block between station No. 103 and 104 and goes to Baregundi.

2. The cart track referred (1) above branches into two, and exits the block in between Cairn No. 123 and 124.

3. The Road referred (1) above branches near station No. 30 and leave the block between Cairn No. 29 and 30, re-enters the block between Cairn No. 31 and 32 runs in North-West direction and exits the block between Cairn No. 43 and 44 and goes to Ajri.

4. The cart track referred (1) above again branches into two and the branch road leaves the block between Cairn No. 107 and 108 and goes Anemakki temple.

5. The last branch road of cart track referred (1) above exits the block between Cairn No. 95 and 96 and goes to Chowrikodlu.

Footpath—

(*a*) Footpath starting from the Road referred (1) above Leaves the block between cairn No. 117 and 118 meets other footpath and goes to Guddodu Bailu.

(*b*) A second footpath starting from the cart track leaves the block between cairn No. 114 and 115 joins other two footpaths and goes to Guddodi Bailu.

(*c*) The third footpath starting from the above referred cart track (1) exit the block between cairn No. 111 and 112 and joins the footpath referred and (b) above and goes to Guddodi Bailu.

(*d*) The fourth footpath from the cart track referred (1) above exits the block between Cairn No. 104 and 105 and goes to Neluvarike Bailu.

Other Privileges

1. Free removal of Muligrass by the villagers for *bonafide* use.
2. Free removal of dry fuel by the villagers for *bonafide* use.
3. Free removal of green manure leaves of unreserved trees by the villagers for *bonafide* use.
4. Free grazing of cattle by the villagers.

By Order and in the name of the Governor of Karnataka

B. A. Gowda,
Under Secretary to Government,
Agriculture and Forest Department.

FOOD AND FOREST SECRETARIAT

Order No. FFD 2 RPF 75.

Bangalore, dated 19th February 1975.

S. O. 965.—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Karnataka Wheat and Wheat Products (Wholesale) Dealers Licensing Order, 1974 the Government of Karnataka hereby makes the following amendments to Order No. S. O. 857 dated 11th June 1974 published in Part IV-2C(ii) of the *Karnataka Gazette* (Extra-Ordinary) dated 12th June 1974, namely:—

In the table to the said order, for the entries at Sl. Nos. 2, 3 and 4 the following entries shall be substituted, namely:—

"(2) The Assistant Commissioner doing duty as Range Officer, North Range Bangalore City, Food and Civil Supplies Department.	City of Bangalore Municipal Corporation Divisions 1, 2 3, 4 5, 6, 7, 8, 9, 10, 11, 12, 21, 45 and 46 (15 divisions).
(3) The Assistant Commissioner doing duty as Range Officer, South Range, Bangalore City, Food and Civil Supplies Department. ...	City of Bangalore Municipal Corporation Divisions 19, 20, 23 24, 25, 26, 28, 30, 31, 33 37, 29, 34, 35, 36 and 42 (16 Divns.)
(4) The Assistant Commissioner doing duty as Range Officer, Central Range, Bangalore City, Food and Civil Supplies Department.	City of Bangalore Municipal Corporation Divisions 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63 (17 Divisions).
(4A) The Assistant Commisisoner doing duty as Range Officer, Central Range, Bangalore City, Food and Civil Supplies Department.	City of Bangalore Municipal Corporation Divisions 13, 14, 15, 16, 17, 18, 22 27, 38, 39, 40, 41, 42, 43 and 44 (15 Divisions)".

By Order and in the name of the Governor of Karnataka,

M. D. GOVINDARAJ,
Under Secretary to Government,
Food and Forest Department.

DEVELOPMENT, HOUSING, PANCHAYAT RAJ AND CO-OPERATION SECRETARIAT.

Notification No. DPC 261 CEA 74 (1)

Bangalore-1, dated 28th October 1974.

S O.. 966—

In exercise of the powers conferred by sub-section (1) of Section 29 of the Karnataka Co-operative Societies Act, 1959 (Mysore Act 1 of 1959) and in supersession of the orders issued in Notification No. DPC 261 CEA 74, dated 5th October 1974, the Government of Karnataka, hereby nominate the following persons on the Board of Directors of the Bellary District Co-operative Central Bank, Ltd, Hospet, in place of the Joint Registrar of Co-operative Societies, Gulbarga Division, Raichur, and the Deputy Registrar of Co-operative Societies, Bhadra-Project, Davanagere until further orders.

(1) Shri Bhaskar Naidu, S/o Venugopal Naidu, President, City Municipality, Bellary,

(2) Shri Pullaiah, Land Lord, City Compound, Bellary.

By Order and in the name of the Governor of Karnataka,

A. BRITO,
Under Secretary to Government,
Dev. Housing, P. Raj and Co-opn. Department.

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Notification No. DPC 54 BAD 73

Bangalore dated 9th September 1974.

S. O. 967.—In exercise of the powers conferred by clause (vi) and (vii) of sub section (2) of section 187 of the Karnataka Village Panchayats and Local Board Act. 1959 (Karnataka Act No. 10 of 59) the Government of Karnataka hereby nominate Sri M. M. Malagi, Byadagi, Dharwar District as representative member of Scheduled Castes and Smt. Sarojini Ramarao Kulkarni, Nargund Dharwar District as woman representative, as members of the District Development Council, Dharwar in place of the existing members nominated under Government Notification No. DRL 1 BAD 62 dated 21st December 1973.

The said members shall hold the office for a period of two years.

By order and in the name of the Governor of Karnataka

N. MUDDARAJE URS.
Under Secretary to Government,
1088. *D. H. P. and Co-operation Department.*

Notification No. DPC 62 BAD 74

Bangalore dated 28th September 1974.

S. O. 968.—In exercise of the powers conferred by clause (vi) and (vii) of sub-section (2 of Section 187 of the Karnataka Village Panchayats and Local Boards Act, 1959 (Mysore Act No. 10 of 59) the Government of Karnataka her by nomi ate Kumari E Br tto, Karna'aka E lucational S rvi e rRetired), Mangalore and Social Worker, w oman representative, as member f th District D vel p nent Council, South Kanara in place of the existing woman member n minated under Government notification No. DPC 94 B AD 73 dated 8th April 1974

The said member shall hold the office for a period of two years.

By order and in the name of the Governor of Karnataka

N. MUDDARAJE URS.
Under Secretary to Government,
1116 *D. H. P. and Co-operation Department.*

FOOD AND FOREST SECRETARIAT

Order No FCS 288 FCS 74

Bangalore, dated the 10th February 1975.

S.O 939 —In exercise of the powers conferred by sub-clause (1) of clause 2 of the Karnataka Kerosene Dealers Licensing Order, 1969, the Government of Karnataka hereby makes the following further amendments to Order No. S. O. 325, dated the 6th February 1969 as amended by Order No. S. O. 141, dated the 16th January 1971, namely :—

In the Table to the said Order for the entries relating to serial numbers 4 to 7 the following entries shall be substituted namely :—

"4.	The Assistant Commissioner doing duty as Range Officer, North Range, Bangalore City, Food and Civil Supplies Department. ...	City of Bangalore Municipal Corporation Divisions, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 21, 45 and 46 (15 Divisions).	Retail Dealers
5.	The Assistant Commissioner doing duty as Range Officer, South Range, Bangalore City, Food and Civil Supplies Department. ...	City of Bangalore Municipal Corporation Divisions, 19, 20, 23, 24, 25, 26, 28, 30, 31, 33, 37, 29, 34, 35, 36 and 32 (16 Divisions).	do
6.	The Assistant Commissioner doing duty as Range Officer, East Range, Bangalore City, Food and Civil Supplies Department. ...	City of Bangalore Municipal Corporation Divisions 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63 (17 Divisions)	do
7.	The Assistant Commissioner, doing duty as Range Officer, Central Range, Bangalore City, Food and Civil Supplies Department. ...	City of Bangalore Municipal Corporation Divisions 3, 14, 15, 16, 17, 18, 22, 27, 38, 39, 40, 41, 42, 43 and 44 (15 Divisions).	do

By Order and in the name of the Governor of Karnataka,

M. D. GOVINDARAJ,
Under Secretary to Government,
Food and Forest Department.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification-II No. HMA 43 MNI 75.

Bangalore, dated 31st March 1975

S. O. 971 —WHEREAS the Government of Karnataka is satisfied that

(i) the areas the situation, survey Nos., extent and boundaries and other details of which are specified in the schedule below situated within the limits of the City Municipal Council, Mandya are a source of danger to the Health, safety and convenience of the public of these areas and of their neighbourhood by reason of the said areas being insanitary, squalid and over-crowded;

(ii) the buildings in the said areas used or intended to be used for human habitation are over crowded and unfit for human habitation for want of repair, stability, freedom from damp, natural light and air, water supply drainage and sanitary conveniences;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 3 of the Mysore slum areas (Improvement and Clearance) Act, 1973 (Karnataka Act 33 of 1974), and in supersession of Government Notification-II No. HMA 291 MNI 74 dated 30th December 1974, the Government of Karnataka hereby declare each of the said areas to be a slum area.

SCHEDULE

Sl. No.	Situation	Survey No. etc.	Extent	AREAS Boundaries			
				East	West	North	South
(1)	(2)	(3)	(4)			(5)	
			A-G				
1	Behind Kuruba's Hostel	149	1-06	Halla	Remaining land S. No. 149 belongs to K. Boraiah and others	Railway line	Kuruba's Hostel
2	Between St. Joseph Covent and Health Office	827 829 847	0-20	St. Joseph Convent	Halla	Coconut garden belongs to Mariyappa and Siddappa	Municipal disposed land
3	Kallahalli Muslim Block		0-32	Private houses	Vacant land belongs to Marigowda	Road and private land	Halla
4	Halahalli Muslim Block, tank bed and Mudigowda's garden land Eastern side of Mudigowda's land	5	11-21	Municipal land	Halla	Private houses (Labour colony)	Halla
5	Seeneerkola	...	2-00	Municipal land	Saw Mills of Chinnagirigowda and Srirama	Old M. C. Road	Railway line

By Order and in the name of the Governor of Karnataka
K. G. RAJANNA,
Under Secretary to Government
Health and Municipal Administration Departments.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 84 MNI 75.

Bangalore, dated 3rd April 1975.

S. O. 972.—WHEREAS the Government of Karnataka is satisfied

(i) that the areas the situation, Survey Nos, extent and boundaries and other details of which are specified in the Schedule below situated within the limits of the Hubli-Dharwar Municipal Corporation, Hubli, are a source of danger to the Health, Safety and convenience of the public of these areas and of their neighbourhood by reason of the said areas being insanitary, squalid and over-crowded ;

(ii) the building in the said areas used or intended to be used for human habitation are overcrowded and unfit for human habitation for want of repair, stability, freedom from damp, natural light and air, water supply, drainage and sanitary conveniences ;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 3 of the Mysore Slum Areas (Improvement and clearance) Act, 1973 (Karnataka Act 33 of 1974), the Government of Karnataka hereby declare each of the said areas to be a slum area.

SCHEDULE

Sl. No.	Situation	Survey No. etc	Extent	Boundaries			
				East	West	North	South
1	2	3	4	5	6	7	8
1	Slum near Tapovan site.	124 of Saptapur.	1-30	R. S. No. 125 of Saptapur.	Halyal Road	Halyal Road and Railway line	R. S. No. 3 of Saptapur.
2	Slum at Lakamanahalli near Tejaswini Housing Society.	R S. No. 51/4 of Lakamanahalli.	1-30	Kalaghatgi Road.	Railway line.	Tejaswini Society boundary.	Railway line.
3	Slum near Lakamanasing Tank.	R. S. No. 39 of Lakamanahalli.	4-00	R. S. No. 40 of Lakamanahalli and Tank bed.	R. S. No. 41 of Lakamanahalli.	R. S. No. 39 (Tank bed),	R. S. No. 40 of Lakamanahalli.
4	Slum near Mochi Society Land	C. T. S. No. 133	1-10	Haveripeta Road	CTS No. 131/16 to 131/20	Bharat High School	CTS No. 135
5	Slum near Balajimath area	CTS No. 190 to 331 & 760 to 772	7-0	Hebballi agasi	Moti Tank Area	Fort Road	Hebballi Road
6	Slum near Rayapur village	Block No.1+2+4	4-00	Katcha Road	Village Road	Katcha Road	N.E.S. Block Boundry.

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7	Slum in Waddar oni Rayapur	Gouthana Area	1-00	S. No. 83	Village boundary	Village boundary	Road
	q HUBLI UNIT						
1	Slum at Lakappan hakkal in Nagashettikoppa (Near Shanti colony)	R. S. 72A of Nagashettikoppa	3-00	R. S. No. 70 & 71 of Nagashettikoppa (Approved layout)	R.S. No. 73 of N'Koppa	Rly. line	M.T.S.R.S. New 72 (Approved layout).
2	Slum in Chitaguppi Chawl	CTS No. 750 & 1211/1,2	0-12 0-8	CTS No. 1357 1399 etc	Existing Rd.	Portion of CTS No. 750	Bindargi Oni
3	Slum in Korwar at N'Koppa	R.S. No. 93/1 of N'Koppa	.0-35	Rd. (Bengeri Main)	Godown	S. No. 137 of Bengeri	Road
4	Slum in Yavagal plots (Southern portion)	CTS. No. 104/ 2A 104/2B.	0-36	Bhusanur land	Venture Metere Station.	Gokul Road	Nala

By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA,
Under Secretary to Government,
Health and Municipal Administration Department

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PART IV

Section 2-C (ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR DEPARTMENT

Labour dispute: Industrial Dispute between the workmen and the management of Sudarshan Trading Company, No. 267, Cavalry Road, (Cant. Branch), Bangalore-1.

Award of the Presiding Officer, Labour Court, Bangalore, published.

Read the following papers

(1) Letter No. 2101/74-75, dated 4th March 1975 from Sri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 28th day of February 1975

Present:

Shri. P. Srinivasacharya, B.A., LL.B., *Presiding Officer.*

Reference No. 25 of 1974

First Party

M. A. Narasimhan, 23, Horticulture Road, Tumkur-2.

vs.

Second Party

The Management of Sudarshan Trading Company, No. 267, Cavalry Road (Cant. Branch), Bangalore-1.

Reference :—Government Order No. SWL 83 LLD 74, dated 7th February 1974.

AWARD

1. The Government of Karnataka in their order No. SWL 83 LLD 74, dated 7th February 1974 have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below :

"Are the management of Sudarshan Trading Company Ltd., (Mysore Zonal Office), 11, C. J. D'Souza Road, Bangalore-560025, justified in terminating the services of Sri M. A. Narasimhan with effect from 4th June 1969 ?

If not, what relief the workman is entitled ?"

2. The first party filed his claim statement on 18th March 1974 and the second party filed their counter-statement on 1st July 1974 and on the same day issues were framed and the case was set down for evidence.

3. To-day when the case was called on for hearing, both parties were present. A memo was filed by I Party saying that since the matter is settled out of Court, this reference may be dismissed as withdrawn.

4. In view of this memo, the reference is closed as withdrawn. No costs.

(Sd.) P. Srinivasacharya,
Presiding Officer,
Labour Court, Bangalore.

"Copy"

P. Srinivasacharya,
Presiding Officer,
Labour Court, Bangalore.

Order No. SWL 71 LLA 75, Bangalore, dated 24th March 1975.

S.O. **75.** —WHEREAS, by State Government Order No. SWL 83 LLD 74, dated 7th February 1974 the Industrial Dispute between the workmen and the management of Sudarshan Trading Company, No. 267, Cavalry Road, (Cant. Branch), Bangalore-1, was referred to the Labour Court, Bangalore for adjudication.

AND, WHEREAS, the Labour Court, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secy. to Govt., S.W. and L. Dept.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute—Industrial Dispute between the workmen and the management of Hindustan Aeronautics Ltd., Bangalore.

Award of the Presiding Officer, Additional Industrial Tribunal, Bangalore-20, published.

Read the following papers:—

(1) Letter No. AIT 714/74-75, dated 17th/18th February 1975 from Sri G. S. Bhagwat, Presiding Officer, Additional Industrial Tribunal, Bangalore-20.

BEFORE THE PRESIDING OFFICER, ADDITIONAL INDUSTRIAL TRIBUNAL, BANGALORE

Dated this the 17th day of February 1975

A.I.D. 11 OF 1966

I Party.—

Workmen of Hindustan Aeronautics Ltd., by The General Secretary, Hindustan Aeronautics Employees' Association, Bangalore-17.

Vs.

II Party.—

The Management of Hindustan Aeronautics Ltd., Bangalore-17.

A.I.D. 21 OF 1966

I Party.—

Workmen of Hindustan Aeronautics Ltd., by the General Secretary Hindustan Aeronautics Employees' Association, Bangalore-17.

Vs.

II Party.—

The Management of Hindustan Aeronautics Ltd., Bangalore-17.

Appearances:

For the I Party.—Sri A. Nagesha Rao, Advocate, Bangalore.

For the II Party.—Sri S. C. Sundarswamy, Advocate, Bangalore.

AWARD

The Government of Mysore (now Karnataka), being of opinion that the Industrial Disputes existed between the workmen and the Management of Hindustan Aeronautics Ltd., Bangalore, regarding the applicability of the provisions of the Payment of Bonus Act and extension of benefits of the said Act with regard to the claim of profit-sharing bonus for the years 1962-63, 1963-64 and 1964-65 and quantum of profit-sharing bonus of the total annual wages, in exercise of the powers conferred on the State Government, under Section 10, sub-section 1 clause (d) of the Industrial Disputes Act, by their Order No. in G.O. No. LMA 140 LLD 66, dated 7th April 1966 and G.O. No. LMA 140 LLD 66, dated 16th June 1966, orginally made these references to the Industrial Tribunal, Bangalore and later the Government by their Order in G.O. No. LMA 595 I.LE 66, dated 29th November 1966 transferred the above mentioned two disputes under Section 33(b) of the Industrial Disputes Act, to this Tribunal for adjudication. These references had been numbered in the Industrial Tribunal, Bangalore, as I.D. No. 98/66 and 128/66. After they were transferred and received in this Tribunal, they were separately numbered as A.I.D. 11/66 and 21/66.

2. The workmen filed their claim statements and the Management of H.A.L., Bangalore opposed the claims of the workmen and they filed their counter statements also. In addition to the points of disputes referred in A.I.D. 11/66 and 21/66, 12 other issues were framed in A.I.D. No. 11/66 and 4 issues in A.I.D. No. 21/66. Both the parties let in oral as well as documentary evidence and my learned predecessor passed an Award by his considered Order dated 2nd August 1971, which was published in

Mysore Gazette, dated 26th August 1971. Being aggrieved of this Award, the Management of Hindustan Aeronautics Ltd., Bangalore, approached the High Court of Mysore, (now Karnataka) in Writ Petition 2385/71 with a request to quash the Award dated 2nd August 1971 and to hold that they are not liable to pay any Profit Sharing Bonus to their workmen under the Payment of Bonus Act, 1965 etc. This Writ Petition of the Management of H.A.L. was allowed and the Hon'ble Justice E. S. Venkataramiah by his Order 13th June 1974, set aside the Award passed by this Tribunal in A.I.D. No. 11/66, dated 2nd August 1971 and remanded the case back to this Tribunal for fresh consideration and disposal, in the light of the evidence already recorded and the evidence to be adduced hereafter in accordance with law.

3. On receipt of the records from the High Court of Karnataka, notices were issued to both the parties and they appeared through their representatives and took several adjournments. On 15th February 1975 when the case finally came up for hearing a separate memo came to be filed in A.I.D. 11/66 and also in A.I.D. No. 21/66 on behalf of the workmen of Hindustan Aeronautics Ltd., Bangalore, stating that they do not wish to press the reference in the above cases. On behalf of the management of Hindustan Aeronautics Ltd., Bangalore, recorded no objection to these memos filed on behalf of the workmen and hence the memos filed on behalf of the workmen in A.I.D. No. 11/66 and A.I.D. No. 21/66 are recorded separately.

4. Heard on both sides and it has been fairly conceded that the points of dispute inquestion were amicably settled between the parties and the workmen have nothing more to prosecute with regard to their demands under reference.

In the result the aforestated references are rejected, the same being not pressed by the workmen at whose instance they were sponsored.

No Order as to costs.

A copy of this shall be kept in A.I.D. No. 21/66.

G. S. BHAGAWAT,

Presiding Officer,
Addl. Industrial Tribunal, Bangalore.

ORDER

No. SWL 51 LLA 75, Bangalore, dated 5th March 1975

S. O. 976 —

Whereas by State Government Order Nos. (1) LMA 140 LLD 66, dated 7th April 1966 and (2) LMA 140 LLD 66, dated 16th June 1966 the Industrial Dispute between the workmen and the management of Hindustan Aeronautics Ltd., was referred to the Additional Industrial Tribunal, Bangalore for adjudication.

And, whereas the Additional Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, therefore, in exercise of the powers conferred by Section 17 of the Industrial Dispute Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secy. to Govt., S.W. and Labour Department.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—Industrial Dispute between the workmen and the management of Coffee Lands Limited, Sakleshpur Post, Hassan District.

Award of the Presiding Officer, Labour Court, Mangalore, published.

Read the following papers:—

(1) Letter No. A/ID-21/74-75, dated 24th January 1975, from Shri H. S. Venkatasubbaiah, Presiding Officer, Labour Court, Mangalore.

BEFORE THE LABOUR COURT AT MANGALORE

Dated 24th January, 1975

Reference (ID) (LCM) No. 21 of 1973

Present:

SRI H. S. VENKATASUBBAIAH, B.A., LL.B.,

Presiding Officer.

Between.—

The Workmen, represented by the Secretary, Estates Staffs Union of South India, Chikmagalur. *I Party*

and

The Management of Coffee Lands Limited, Sakalespur Post, Hassan District. *II Party*

AWARD

The Government of Karnataka, being of the opinion that an industrial dispute exists between the workmen and the management of Coffee Lands Limited, Saklespur Post, Hassan District, have referred the said dispute for adjudication to this Court under Section 10(1) (c) of the Industrial Disputes Act, 1947, by their Order No. FCL 1566 LLD 72, dated 16th March 1973. The Points of dispute referred for adjudication are as follows:

A. (1) Whether the management of Coffee Lands Limited at Saklespur Post, are justified in denying fitting up with effect from 1st January 1970 or any other date, staff member Sri B. A. Kariappa of Gubgal Estate at Javali Post, in the Senior Grade 'B' on Rs. 200—10—270—12—330 as per Clause 3 read with clause 10 of the Industry wide Agreement on staff wages dated 4th May 1970?

(2) If not, to what relief is the workman entitled?

B. (1) Whether the management of Coffee Lands Limited, at Saklespur Post, are justified in denying fitting up Sri S. C. Lewis of Ubban Estate at Saklespur Post in Senior Grade 'A' on Rs. 140—7—154—8—250—EB—9—277, with effect from 1st October 1971, in virtue of the additional responsibilities entrusted to him, from the said date;

(2) If not, to what other relief he is entitled?

C. (1) Are the management of Coffee Lands Ltd., Saklespur Post, justified in denying to the workmen (New Entrants of Gubgal Estate at Javali Post and Ubban Estate at Saklespur post, the customary "Monsoon Allowance" given to some other workmen (old entranth) working in the same estates?

(2) If not, to what relief are the workmen entitled ?

2. After the receipt of the reference, notices were issued to both the parties to file their respective statements. The first party filed its claim statement through post on 30th April 1973. The second party filed its counter statement on 14th May 1973 through post.

The claim of the first party in short is that Sri B. A. Kariappa is working in the second party company for the past 24 years. He is the senior most staff. He reached his basic salary of Rs. 234 per month in the year 1972 in Senior Grade 'A' of Large Estates. As per clause 10(c) (i) of the Staff Salary Agreement dated 4th May 1970 he is eligible to proceed to Senior Grade 'B' on crossing a basic pay of Rs. 234 in Senior Grade 'A' but the management refused to promote him to Senior Grade 'B' as per the agreement. Hence it was prayed that an award be passed directing the second party to promote Sri B. A. Kariappa in senior grade 'B'. As regards Sri S. C. Lewis it is contended that he is working in the Office and is doing responsible work there. He is also regularly assisted by Juniors in his work. He is a group office clerk and is a person with considerable length of service. As per Staff Salary Agreement dated 4th May 1970 he has to be placed in Senior Grade 'A' of Large Estates. Inspite of the fact that he is a senior most man in the group Office and working as Head of the said department, the second party has refused to extend him the senior grade 'A'. Hence it was prayed that the second party be directed to promote him in Senior Grade 'A' of Large Estates. As regards the "Monsoon Allowance" it is stated that the Company is paying the said allowance to all its employees except to the new entrants. This is an invidious discrimination. Hence the new entrants are also entitled to the said allowance.

The second party in its counter statement denied the averments made by the first party in its claim statement at paras 1 to 5 except those that are specifically admitted therein. It is admitted that Sri B. A. Kariappa is working as a staff but it is denied that he is eligible to proceed to Senior Grade 'B' on crossing his pay of Rs. 234 in the senior grade 'A' as the relevant clause in the agreement applies to companies and proprietors owning estates situate in more than one State. It is denied that Sri S. C. Lewis is working in the office doing responsible work. It is also denied that he is regularly assisted by Juniors in his work. It is also denied that he is the Group office clerk. He is doing ordinary day-to-day routine office work under the specific direction, control and supervision of the Manager of the estate in which he works. The clause 10(2) (a) referred to in the claim statement will not apply in the case of S. C. Lewis. As regards the Monsoon allowance it is stated that the service conditions of new entrants does not contemplate them to claim the said allowance. Lastly it was prayed that the claim of the first party be rejected.

3. In view of the above pleadings, necessary additional issues were framed by my predecessor-in-office on 24th May 1973 and the case was posted for evidence. An additional counter statement of the second party supported by an Affidavit was also received through post on 13th June 1973. After some time, a memo was received in the office through post from the 1st party on 29th July 1974 stating that the dispute pertaining to Sri S. C. Lewis has been settled amicably and hence the same be treated as closed. Another memo was also received through post on 13th January 1975 from the 1st party stating that the matter has been settled amicably and further proceedings in the above dispute is not pressed. On 21st January 1975 when the case was taken up, both the representatives for the parties appeared before court and submitted that the claim is settled out of court. Sri Pinto, representative for the 1st party submitted that he does not press the

reference. In view of the above, there remains nothing more to be done in the matter but to pass an award rejecting the reference.

4. In the result, I pass an award rejecting the reference as not pressed. The memos filed by the first party shall form part of the award as annexures I and II. Parties to bear their own costs.

Sd./-
(H. S. Venkatasubbaiah),
Presiding Offiier,
Labour Court, Mangalore.

Mangalore,
Dated 24th January 1975.

ANNEXURE—I

BEFORE THE HONOURABLE LABOUR COURT, MANGALORE.

Reference No. 21 of 1973

I Party

Shri. S. C. Lewis, Staff Member of Coffee Lands Ltd., Saklespur Post, represented by the Secretary for Mysore, Estates Staffs Union of South India, Vijayapura, Chickamagalur.

and

II Party

The Management, Coffee Lands Ltd., Saklespur P.O., Hassan District.

May it please your Honour,

The I Party Union begs to submit that Sri S. C. Lewis Staff Member, Coffee Lands Ltd., Saklespur P.O. Hassan

District has amicably settled his dispute with the II Party Management, Sri S. C. Lewis, the I Party workman requested the Union to withdraw his dispute from the Honourable Court now pending before the Honourable Court in Reference No. 21 of 1974. In view of the amicable settlement of the dispute concerning Sri S. C. Lewis, the I Party Union prays that the Honourable Court may be pleased to treat the dispute of Shri S. C. Lewis as closed and pass an award accordingly.

A copy of this has been sent to-day to the II Party Management and workman Sri S. C. Lewis.

Dated this the 23rd day of July 1974 at Chikmagalur.

For the I Party.

Sd./- P. H. Pinto,
Secretary for Mysore ESUSI,
Chikmagalur.

Note and file.

Sd./- H. S. Venkatasubbaiah,
Presiding Officer,
Labour Court, Mangalore.

ANNEXURE—II

BEFORE THE HONOURABLE LABOUR COURT, MANGALORE.

Reference (ID) (LCM) No. 21 of 1973

I Party

Staff Members of Coffee Lands Ltd., Saklespur P.O., Hassan District, represented by the Estates Staffs Union of South India, ESUSI HOUSE, Vijayapur Chikmagalur.

Vs.

II Party

The Management of Coffee Lands Ltd., Saklespur P.O., Hassan District.

May it please your Honour,

The I Party Union begs to submit that the above matter has been settled amicably and as such it does not press further proceedings in the matter.

A copy of this has been sent to-day to the II party Management.

Dated this the 4th day of January 1975 at Chikmagalur.

For the I Party
Sd./- P. H. Pinto,
Secretary for Mysore ESUSI,
Chikmagalur.

'Note and file'
Sd./- H. S. Venkatasubbaiah,
Presiding Officer,
Labour Court, Mangalore.
21-1-1975.

"True Copy"
(H. S. Venkatasubbaiah),
Presiding Officer,
Labour Court Mangalore.

ORDER No. SWL 38 LLA 75,

Bangalore, dated the 22nd February 1975

S. O. 977.—

Whereas by State Government Order No FCL 1566 LLD 72, dated 16th March 1973 the Industrial Dispute between the workmen and the management of Coffee Lands Limited, Sakleshpur Post, Hassan District, was referred to the Labour Court, Mangalore, for adjudication.

And, whereas the Labour Court, Mangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, therefore, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secy. to Govt., S.W. and L. Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR DEPARTMENT

Labour Dispute.—Industrial Dispute between the workmen and the management of Ravikala Restaurant, Avenue Road, Bongalore-2.

Award of the Presiding Officer, Labour Court, Bangalore, published.

Read the following papers :

(1) Letter No. 1838/74-75, dated 28th January 1975 from Shri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 28th day of January 1975.

Present :

Sri P. Srinivasacharya, B.A., LL.B., Presiding Officer.

Reference No. 34 of 1971.

First Party.—

Workmen of the Ravikala Restaurant, represented by the Secretary, Bangalore District Hotel and Canteen Workers Union, No. 50-A, A. S. Char Street, Bangalore.

Vs.

Second Party.—

The Management of Ravikala Restaurant, Avenue, Road, Bangalore-2.

Reference.—Government Order No. FCL 617 LLD 70, dated 18th May 1971.

AWARD

1. The Government of Mysore (now Government of Karnataka) in their Order No. FCL 617 LLD 70, dated 18th May 1971 have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below:—

"I. Is the management of Ravikala Restaurant, Avenue Road, Bangalore-2, justified in terminating the services of the undermentioned workmen with effect from 15th December 1969 :—

Sriyuths:—

1. Venkata Rao
2. Govinda
3. Rama
4. Subba
5. Narjunda
6. Kumara
7. Narasimha
8. Krishna
9. Narasimhalu
10. Shambu
11. Narayan
12. Nagappa
13. Ramu (Cleaner)
14. Seena
15. Shekar
16. Venkatesha
17. Krishna
18. Shiva
19. Puttaswamy
20. Ranga
21. Ganga
22. Bora
23. Kempa
24. Ganga (Cleaner)
25. B. Ramu
26. Radhakrishna
27. Prakash
28. Sundar Shenoy
29. Bhoja
30. Rajasekhara.

II. Whether the management of Ravi Kala Restuarant, Avenue Road, Bangalore-2, are justified in closing down their Restaurant with effect from 15th Dceember 1969 to 17th December 1969 ?

III. If not, to what relief are the affected workmen entitled ?"

2. On behalf of the I Party one M. Rama Rao, Secretary, Bangalore District Hotel and Canteen Workers' Union, 50/A, Arcot Srinivasachar Street, Bangalore-2A, filed the claim statement, dated 21st June 1971. It may be

noted that he alone had signed the claim statement and that it has not been signed by any of the workers mentioned in the order of Reference. The objection statement was filed on 9th September 1971 by Mr. H. Subbarao, Proprietor of the II Party. Mr. M. Rama Rao conducted the case for some time. On 29th September 1973 the II Party filed an application saying that Mr. Suryanarayana Rao and Mr. Rama Rao were no longer connected with the I Party Union and they cannot represent the matter on behalf of the Union, to which the workers wanted to file objections. The workers filed objections on 15th November 1973. Thereafter on 17th January 1974, Mr. K. Subba Rao, Advocate, appeared for I Party and prayed for time. In between, some of the workers came and submitted applications stating that they have received compensation and their name may be deleted from the reference. On 16th April 1974 Mr. K. Subba Rao, Advocate, filed an application under Section 36(4) of the Industrial Disputes Act seeking permission to appear I Party. The II Party took time to file objection. The objections were filed by Mr. M. Channabasappa, Secetary, Bangalore District Hotel and Canteen Workers' Union, Bangalore-53, and also by the Proprietor of the II Party. Then a few more I Party workmen came and prayed that their names may be delted from reference saying that their claims have been fully settled. Then On behalf of the II Party, written arguments were filed. and posted to hear the arguments of Mr. Channabasappa. On behalf of the IInd Party, written arguments were filed. On 25th January 1975 a joint memorandum of settlement is filed signed by the Secretary of the I Party Union and the Proprietor of the II Party. The terms have been fully set out in the settlement. They are fair and reasonable. Hence I accept the same.

8. It is unnecessary for me to decide the question which has been raised by some of the workmen of the I Party that they are entitled to be represented by a person

of their own choice. Since the question has been raised, I would like to answer the same.

4. The Secretary of the Bangalore District Hotel and Canteen Workers' Union, Bangalore, has entered into a settlement with the II Party. The reference dated 18th May 1971 received from the Government is to decide whether the management of the II Party was justified in terminating the services of the workmen mentioned in the order of reference with effect from 15th December 1969 and further whether it was justified in closing the restaurant from 15th December 1969 to 17th December 1969 and to what relief the affected workmen are entitled. This dispute has been raised by the Secretary of the Bangalore District Hotel and Canteen Workers' Union, Bangalore. It is the Secretary who has through out represented and fought the case. If the Union had not taken up the cause of the workmen, there would not have been any reference. If the individual workers had been adversely affected by these terminations and closure, they should have sought separate references as the reference is dated 18th May 1971. By that time Section 2A of the Industrial Disputes Act had been incorporated, wherein the individual worker had the right to raise an industrial dispute. The workers have not done that and now they come out with a grievance that their case is not properly represented by the Secretary of the Unions. They have no *loco standi* to raise such an objection. In this view, I am supported by the observations of the Supreme Court in Ram Prasad Vishwakarma *Vs.* Industrial Tribunal, Patna (reported in S.C. Labour Judgments (1950-1967) Vol. V, at page 3582). The relevant observations are quoted beow :—

"The necessary controllary to this is that the individual workman is at no stage a party to the industrial dispute independently of the union. The union or those workmen who have by their sponsoring turned the individual dispute, can therefore claim to have a say in the conduct of the proceedings before the tribunal.

It is not unreasonable to think that Section 36 of the Industrial Disputes Act recognizes this position, by providing that the workman who is a party to a dispute shall be entitled to be represented by an officer of a registered trade union of which he is a member. While it will be unwise and indeed impossible to try to lay down a general rule in the matter, the ordinary rule should, in our opinion, be that such representation by an officer of the trade union should continue throughout the proceedings in the absence of exceptional circumstances which may justify the tribunal to permit other representation of the workman concerned. We are not satisfied that in the present case there were any such exceptional circumstances. It has been suggested that the Union's Secretary, Fateh Singh, himself had made the complaint against the appellant which resulted in the order of dismissal. It has to be observed, however, that in spite of everything, the union did take up this appellant's case against his dismissal as its own. At that time also, Fateh Singh was the Secretary of the union. If the union had not taken up his cause, there would not have been any reference. In view of all the circumstances, we are of opinion that it cannot be said that the tribunal committed any error in refusing the appellant's prayer for representation through representatives of his own choice in preference to Fateh Singh, the Secretary of the Union."

The facts and circumstances under which the above observations are made, are similar to the facts and circumstances of this case. As such I am not inclined to accept the argument of Sri K. Subba Rao, Advocate, that individual workmen have the right to represent their own case through the person of their own choice when it is found that Secretary was acting in collusion with the management.

5. Mr. Noor Husain, who was representing the II Party, has submitted written arguments, in which he has pointed out that the reference was initiated by the first party union on behalf of certain workers; therefore, that

union alone can represent the workers and continue the dispute and none else and this hts been made clear by the Supreme Court in the above mentioned case. The Supreme Court has held that the individual workman cannot have a Separate representation and some of them cannot break away from the union and conduct parallel proceedings or dispute the authority of the union. Even the persons who had sought separate representation are not consistent in their attitude. These persons had indulged in violence and could not have been kept in service. Workers who have caused wanten damage to the hotel and its contents and had threatened the proprietor and loyal workers of physical harm as in the present case. They cannot claim reinstatement. The dismissal was amply justified to protect and secure the life and property of the employer. Some of the workers who seek to continue the dispute should not be permitted to continue the dispute. The Union alone is the party to the dispute and dissenting workers' application is fit to be rejected.

6. To promote industrial peace and harmony the Secretary of the Bangalore District Hotel & Canteen Workers' Union, Bangalore, has entered into a settlement with the II Party. The terms of the settlement are fair and reasonable and I accept the same. The reference is pending since 1971 and the settlement is fit to be accepted which is intended to achieve industrial peace.

7. In the result, I pass an award in terms of the memorandum of s ettlement, dated 25th January 1975 which shall be annexed to this award and be deemed as forming part of it. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

/COPY/

P. Srinivasacharya,
Presiding Officer,
Labour Court, Bangaore.

IN THE COURT OF THE PRESIDING OFFCER, LABOUR COURT, BANGALORE.

Reference No. 34 of 1971

First Party.—

The workmen of Ravikala Restaurant, represented by the Secretary, Bangalore District Hotel and Cantten Workers Union, 50-A, Arcot Srinivasachar Street, Bangalore-53.

Second Party.—

The Management of Ravikala Restaurant, represented by its Proprietor, Sri H. Subba Rao, Avenue Road, Bangalore-2.

Memorandum of Settlement

The parties to the above dispute after prolonged discussion have arrived at an amicable settlement on the following terms.

Terms of Settlement

The Second party Proprietor agrees to pay to the 30 workmen named in the reference the amount shown against their names as compensation and *ex-gratia* in full and final settlement of all their claims.

		Rs.	P.
1.	Venkataraju—Cook ..	628	.00
2.	Govinda—Asst. Cook ..	93	.00
3.	S. R. Ramu—Asst. Cook ..	174	.00
4.	Subba—Vegetable Cutter ..	710	.00
5.	Nanjunda—Cleaner ..	94	.00
6.	Kumara—Cleaner ..	102	.00
7.	Narasimha—Asst. Grinder ..	50	.00
8.	Krishna—Grrinder ..	624	.00
9.	Narasimha—Supplier ..	500	.00
10.	Shamu—Supplier ..	152	.00
11.	Narayana—Supplier ..	638	.00
12.	Nagappa—Supplier ..	80	.00
13.	Ramu—Cleaner ..	248	.00
14.	Seena—Cleaner ..	64	.00
15.	Shekara—Cleaner ..	198	.00
16.	Venkatesha—Cleaner ..	428	.00
17.	Krishna—Cleaner ..	125	.00
18.	Shiva—Cleaner ..	548	.00
19.	Puttaswamy—Cleaner ..	520	.00
20.	Ranga—Cleaner ..	264	.00
21.	Ganga—Cleaner ..	580	.00
22.	Bora—Cleaner ..	540	.00
23.	Kempa—Cleaner ..	640	.00
24.	A. Gang—Cleaner ..	430	.00
25.	B. Ramu—Supplier ..	48	.00
26.	Radhakrishan—Supplier ..	150	.00
27.	Prakasha—Supplier ..	624	.00
28.	Sundera Shenoy—Gatekeeper ..	142	.00
29.	Bhojarao—Supplier ..	125	.00
30.	Rajasekara—Cleaner ..	252	.00

2. The Second party proprietor will pay to each of the workmen named above the amount mentioned against their names whenever the workmen present themselves with proper identification.

3. This agreement has been made by the First party after taking into consideration the real state of affairs and in the firm belief that it is beneficial to workers. The workers have been duly consulted and has confirmed that it is a beneficial compromise.

4. This disposes off all the claims against the second party in the above reference.

Both parties pray that the Honourable Labour Court be pleased to pass an awarded in terms of the above settlement.

First Party.—

M. CHANNABASAPPA

Secretary,
Bangalore Disrict Hotel and
Canteen Workers Union,
Bangalore-53.

Second Party.—

H. SUBBA RAO

Proprietor,
Ravikala Restaurant,
Avenue Road,
Bangalore-2.

1970

Order No. SWL 35 LLA 75

Bangalore, dated the 19th February 1975.

S. O. 978.—

WHEREAS by State Government Order No. FCL 617 LLD 70, dated 18th May 1971 the Industrial Dispute between the workmen and the management of Ravikala Restaurant, Avenue Road, Bangalore-2, was referred to the Labour Court, Bangalore, for adjudication.

AND WHEREAS the Labour Court, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the pubication of the said award as above, in the *Karnataka Gazette*.

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secy. to Govt., S.W. and L. Deptt.

NOTIFICATION No. AFD 44 FAF 74.

Bangalore dated 3rd October, 1974

S.O. 979.—In exercise of the powers conferred by Section 4 of the Karnataka Act, 1963 (Karnataka Act 5 of 1964) the Government of Karnataka hereby :—

1. Declares that it has been decided to constitute the land in the Yedamangala village of Sullia Taluk of South Kanara District, the situation and limits of which are specified in the Schedule below, as reserved forest ;

2. Appoints the Forest Settlement Officer, South Kanara, Mangalore to be the Forest Settlement Officer for purposes of clause (*c*) of sub-section (1) of the said section ; and

3. Appoints the Divisional Forest Officer, Mangalore Division, Mangalore, to represent the State Government in the enquiry by the said Forest Settlement Officer.

SCHEDULE

Name of the District	:	South Kanara
Name of the Taluk	:	Sullia
Name of the Village	:	Yedamangala village
Survey Numbers	:	323, 32/1, 212/10 and 224.
Name of the Block	:	'Yedamangala Block (Bit. I to IV)'.
Area	:	105.22 Hectares (260.00 acres).

Boundary Description Bit I

A tie line runs in 215' from cairn No. 40 of Bit II to Cairn No. 15 of Bit I.

North :—The Northern boundary line of Bit No. I starts from the newly constructed Stone cairn No. 81 and runs in the South-East direction to a distance of 1189 links to reach station No. 85, passing through intermediate station from 82 to 84. Thence it runs in the South-West direction to a distance of 976 links to reach station No. 87, passing through intermediat station from

83. Thence it runs in the South-East direction to a distance of 1333 links to reach station No. 90 passing through intermediate stations from 83 and 89. Thence it runs in the North-East direction to a distance of 236 links to reach station No. 91. Thence it runs in the South-East direction to a distance of 2850 links to reach station No. 7, passing through intermediate station from 1 to 6. Thence it runs in the North-East direction to a distance of 1315 links to reach station No. 10, passing through intermediate stations from 8 and 9. Thence the boundary line of the Bit runs in the South-East direction to a distance of 456 links to reach station No. 11. And from station No. 11 the demarcation line runs in the North-East direction to a distance of 1246 links to reach station No. 14 passing through intermediate stations from 12 and 13. Thence it runs in the South-East direction to a distance of 3153 links to reach station No. 19, passing through intermediate station from 15 to 18.

The bearings and distances from station to station are as follows:—

Station Numbers		*Bearings in degrees in F.B.*	*Distances in links*
From	*To*		
1	2	3	4
81	82	94½	190
82	83	129½	480
83	84	101	485
84	85	91½	434
85	86	213½	4 6
86	87	184	500
87	88	114	300
88	89	100½	550
89	90	95	488
90	91	56½	286
91	1	97½	134
1	2	135	367
2	3	137½	625
3	4	140	660
4	5	112	310
5	6	128	308
6	7	108	386

1	2	3	4
7	8	24½	665
8	9	5	250
9	10	50	700
10	11	99	456
11	12	56	518
12	13	61½	237
13	14	86½	490
14	15	125 ·	1024
15	16	146½	830
16	17	132½	328
17	18	104	657
18	19	129	314

East :—Thence the Eastern boundary line of the block runs in the South-West direction to a distance of 267 links to reach station No. 20. And again it runs in the North-West direction to a distance of 473 links to reach station No. 21. Thence it runs in the South-West direction to a distance of 588 links to reach station No. 23, passing through middle station No. 22. Thence it runs in the South-East direction to a distance of 638 links to reach station No. 26 passing through intermediate stations from 24 and 25. Thence it runs in the South-West direction to a distance of 1008 links to reach Reserve Forest cairn No. 3 (R.F.C. 3) passing through intermediate station from R.F. Cairn 1 and R.F. Cairn 2.

The bearings and distances fromstation to station are as follows :—

Station Numbers		*Bearings in Degrees in F.B.*	*Distances in links*
From	*To*		
19	20	201½	267
20	21	287	473
21	22	230	258
22	23	186	330
23	24	169	133
24	25	157	200
25	26	113	305
26	27 (R.F.C. 1)	184	288
R.F.C. 1-R.F. C. 2		197	350
R.F. C. 2-R.F.C. 3		231½	370

South:—Thence the Southern boundary line of the bit runs in the North-East direction to a distance of 125 links to reach station No. 27. And from that point the boundary line runs in the North-West direction to a distance of 2067 links to reach station No. 36, passing through intermediate stations from 28 to 35. And from there it runs in the North-East direction to a distance of 782 links to reach station No. 39, passing through intermediate stations from 37 and 38. And again it runs in the North-West direction to a distance of 1564 links to reach station No. 42, passing through intermediate stations from 40 and 41. And from there it runs in the South-West direction to a distance of 2376 links to reach station No. 49, passing through intermediate stations from 43 to 48. Thence it runs in the South-East direction to a distance of 271 links to reach station No. 50. And then again it runs in the North-East direction to a distance of 359 links to reach station No. 51. Then again it runs in the South-East direction to a distance of 257 links to reach station No. 52. Thence it runs in the South-West direction to a distance of 1435 links to reach statin No. 58, passing through intermediate station from 53 to 57.o Thence iteruns in the North-West direction to a distance of 642 links to reach station No. 61 passing through the intermediate station No. 59 and 60. From there the line runs to South-West direction to a distance of 749 links to reach station No. 63 passing through the middle station No. 62. Thence the Demarcation line runs to North-West direction to a distance of 1730 links to reach station No. 68 passing through the station No. 64 to 67. Then the demarcation line runs to South-West direction to station No. 69 over a distance of 247 links. Thence the line runs to North-Western side to reach station No. 73 over a distance of 1691 links passing through intermediate station No. 70 to 72.

The bearings and distances from station to station are as follows:—

Station From	*Numbers To*	*Bearings in Degrees in F.B.*	*Distances in links*
1	2	3	4
RFC-3	27	4	125
27	28	359	133
28	29	304½	312
29	30	300	136

1	2	3	4
30	31	295	164
31	32	314½	262
32	33	295½	194
33	34	291½	200
34	35	329	276
35	36	346½	390
36	37	89	170
37	38	50½	400
38	39	6	212
39	40	347	434
40	41	330	461
41	42	319	669
42	43	255	461
43	44	255½	227
44	45	250	310
45	46	200	370
46	47	251	370
47	48	260	338
48	49	181½	300
49	50	101	271
50	51	71	359
51	52	92	257
52	53	183	156
53	54	218	310
54	55	204	121
55	56	216	452
56	57	241½	230
57	58	249½	166
58	59	326	179
59	60	317½	168
60	61	295	576
61	62	258	188
62	63	244	491
63	64	278	452
64	65	302	344
65	66	339	342
66	67	294	270
67	68	287	322
68	69	217½	247
69	70	283	221
70	71	320	453
71	72	271½	444
72	73	292	573

West:—The Western boundary line of the block (Bit No. I) runs in the Northern direction to a distance of 244 links to reach station No. 74. And from that point it runs in the North-Western direction to a distance of 780 links to reach station No. 76, passing through the middle station No. 75. Thence it runs in the North-East direction to a distance of 680 links to reach station No. 77. Thence it runs in the North-West direction to a distance of 1233 links to reach station No. 80 passing through intermediate station from 78 and 79. Thence finally it runs in the North-East direction to a distance of 200 links to reach station No. 81

The bearings and distances from station to station are as follows:—

Station From	*Number To*	*Bearings in degrees in F.B.*	*Distances in links*
73	74	1	244
74	75	332½	477
75	76	351	312
76	77	5½	680
77	78	319	325
78	79	302	444
79	80	310½	514
80	81	26	200

Yedamangala Block

Bit No. II.

A the line runs in 141½° from Cairn No. 8 of Bit III to Cairn No. 1 of Bit II over a distance of 3400 links.

North and East:—The Eastern boundary line of the bit runs from station No. 22 in the South-East direction to a distance of 1561 links to reach station No. 25, passing through intermediate stations from 23 to 25. Then again it runs in the South-West direction to a distance of 345 links to reach station No. 27. Thence the boundary line runs in the South-East direction to a distance of 845 links to reach station No. 30, passing through intermediate station from 28 and 29. Thence it runs in the South-West

direction to a distance of 1575 links to reach station No. 32, passing through intermediate station No. 31. Thence it runs in the South-East direction to a distance of 1153 links to reach station No. 35, passing through intermediate stations from 33 and 34. Thence it runs in the South-West direction to a distance of 2980 links to reach station No. 38 passing through intermediate station No. 36 and 37.

The bearings and distances from station to station are as follows :—

Station Numbers *From*	*To*	*Bearings in degrees in F.B.*	*Distance in links*
22	23	137	437
23	24	159	380
24	25	125½	412
25	26	133½	333
26	27	185	355
27	28	122	286
28	29	139½	210
29	30	126½	349
30	31	202½	610
31	32	226	965
32	33	170½	367
33	34	125	423
34	35	113½	363
35	36	210½	1145
36	37	220	1010
37	38	212½	825

South :—The boundary line of the bit runs and from station No. 38 in South-West direction to a distance of 300 links to reach station No. 39. And from there it runs in the North-West direction to a distance of 2099 links to reach station No. 41, passing through the middle station No. 40. Thence it runs in the South-West direction to a distance of 2368 links to reach station No. 43, passing through middle stations 42.

The bearings and distances from station to station are as follows :—

Station Numbers		*Boarings in degrees in F.B.*	*Distances in links*
From	*To*		
38	39	268	300
39	40	283½	375
40	41	315	1724
41	42	249	1163
42	43	243	1205

West :—The Western boundary line runs and from station No. 43 in the North-West direction to a distance of 550 links to reach station No. 44. Thence it runs in the North-East direction to a distance of 3042 links to reach station No. 1, passing through intermediate station from 45 to 47. Thence it runs in North-East direction to a distance of 258 links to reach station No. 2. Thence it runs in the South-East direction to a distance of 2245 links to reach station No. 5 passing through intermediate stations from 3 and 4. And from that point it runs in the North-East direction to a distance of 1536 links to reach station No. 9, passing through intermediate Station from 6 to 8. Thence it runs in the North-West direction to a distance of 1290 links to reach station No. 12, passing through intermediate station from 10 and 11. And from that point it runs in the North-East direction to a distance of 810 links to reach station No. 14, passing through middle station No. 13 Then again it runs in the South-East direction to a distance of 430 links to reach station No. 15. From that point it runs in the North-East direction to a distance of 450 links to reach station No. 16. Thence it runs in the North-West direction to a distance of 2443 links to reach station No. 21, passing through intermediate station from 17 to 20. And the boundary line runs in the North-East direction to a distance of 387 links to reach the station No. 22.

The bearings and distances from station to station are as follows :—

Station From	*Numbers To*	*Bearings in degrees in F.B.*	*Distances in links*
43	44	332	550
44	45	66	1085
45	46	88½	684
46	47	29½	600
47	1	17	673
1	2	79½	258
2	3	124	427
3	4	118	1030
4	5	114	788
5	6	52½	582
6	7	35½	362
7	8	44½	308
8	9	16	284
9	10	302	760
10	11	289	297
11	12	324½	233
12	13	22	480
13	14	68	330
14	15	104½	430
15	16	24	450
16	17	355	326
17	18	303	437
18	19	330	727
19	20	330	300
20	21	350	653
21	22	39	387

Yedamangala Block Bit No. III

A tie line runs in 79½° from cairn No. 1 of Bit IV to Cairn No. 1 of Bit III over a distance of 600 links.

North :—The Northern boundary line of the bit runs in the North-East direction from cairn No. 1 to a distance of 1129 links to reach station No. 4 passing through intermediate station from 2 and 3. Then it runs in South-East direction to a distance of 288 links to reach station No. 5.

The bearings and distances from station to station are as follows :—

1	2	50	488
2	3	64	381
3	4	77½	260
4	5	105	288

East :—The Eastern boundary line of the bit and starts from station No. 5 runs in the South-East direction to a distance of 500 links to reach station No. 6. And from there it runs in the South-West direction to a distance of 400 links to reach station No. 7.

The bearings and distances from station to station are as follows :—

5	6	155	500
6	7	198	400

South :—The Southern boundary line of the bit runs in the South-West direction to a distance of 183 links to reach station No. 8.

The bearings and distances from station to station are as follows :—

7	8	250	183

West :—The Western boundary line of the bit runs in the North-West direction to a distance of 1295 links to reach station No. 1, passing through intermediate station from 8 to 1.

The bearings and distances from station to station are as follows :—

8	9	313½	285
9	10	289	350
10	1	285	660

Yedamangala Block—Bit No. IV.

North :—The Northern boundary line of the bit runs from cairn No. 15 in the South-Easterly direction to a distance of 864 links to reach station No. 18 passing through intermediate station from 16 and 17. And from that point it runs in the North-East direction to a distance of 335 links to reach station No. 19. Thence it runs in the South-East direction to a distance of 286 links to reach station No. 20. And from that point it runs in the North-East direction to a distance of 283 links to reach station No. 21.

The bearings and distances from station to station are as follows :—

Station From	*Numbers To*	*Bearings in Degrees in F.B.*	*Distances in links*
15	16	95	214
16	17	100	184
17	18	90½	466
18	19	82	335
19	20	94	286
20	21	56	283

East :—The Eastern boundary line runs from station No 21 in the South-East direction to a distion to a distance of 132 links to reach station No. 22. Thence it runs in the due South direc tion. to a distance of 242 links to reach station No. 23. Thence it runs in the South-East direction to a distance of 1280 links to reach station No. 1, passing through intermediate station from 24 to 26.

The bearings and distances from station to station are as follows :—

Station From	*Number To*	*Bearings in degrees in FlB.*	*Distances in links*
21	22	163	132
22	23	182	242
23	24	167	390
24	25	139	420
25	26	94½	230
26	1	176	240

South :—The Southern boundary line of the bit runs from station No. 1 in the South-West direction to a distance of 2230 links to reach station No. 6, passing through intermediate stations from 2 to 5 and then it runs to North-West direction to station No, 7 over a distance of 202 links.

The bearings and distances from station to station are as follows :—

Station From	*Numbers To*	*Bearings in degrees in F B*	*Distances in links*
1	2	245	450
2	3	259	475
3	4	243	238
4	5	209½	587
5	6	226½	480
6	7	291½	202

West :—The Western boundary line runs from station No. 7 in the North-West direction to a distance of 2010 links to reach station No. 13 passing through intermediate stations from 8 to 12. Thence it runs in the North-East direction to a distance of 503 links to reach station No. 15, passing through middle station No. 14.

The bearings and distances from station to station are as follows :—

Station From	*Numbers To.*	*Bearings in degrees in F B*	*Distances in links*
7	8	329	474
8	9	332	440
9	10	347	252
10	11	340½	305
11	12	336	214
12	13	343	325
13	14	24	276
14	15	5	227

Public Right of Way in Bit No. I.

A unmetalled road leading from the Darbe Subramanya main Road at Alakadu enters the Yedamangala Block Bit No. I in between stone cairns No. 28-29 and passes through the bit and goes out in between stone cairns No. 26 and R.F. cairn No. 1 as marked in the Surveyd plan and the same road leads to Kadaba.

Other Privileges

1. Free grazing of cattle by villagers.
2. Free removal of green manure leaves for the bonafide use of the ryots.
3. Free removal of dry fuel for bonafide use of the villagers.
4. Free removal of Muligrass for bonafide use by the villagers.

By Order and in the name of the
Governor of Karnataka.

S. SHYAM SUNDER,
Special Officer and Ex-Officio,
Deputy Secretary to Government,
Food and Forest Department.

1143

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION
No. AFD 49 FAF 74

I. O. 980.—

In exercise of the powers conferred by Section 4 of the Karnataka Forest Act, 1963 (Karnataka Act 5 of 1964) the Govrnment of Karnataka hereby—

(1) declares that it has been decided to constitute the land in the Thannirapantha and Machina villages of Belthangady Taluk of South Kanara District, the situation and limits of which are specified in the schedule below, as reserved forest.

(2) Appoints the Forest Settlement Officer, South Kanara, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of sub-section (1) of the said section ; and

(3) appoints the Divisional Forest Officer, Mangalore Division, and Coondapoor Division to represent the State Government in the inquiry by the said Forest Settlement Officer.

SCHEDULE

Name of the District : South Kanara
Name of the Taluk : Belthangady
Name of the Village : Thannirpantha and Machina
Name of the Block : Than irpantha Block
Field Survey Number : 113/1 and 168
Area : 42.69 Hectares (105.00 acres)

Boundary Description—

North.—Starting from station No. 0, a point situated at the newly constructed cairn No. 1, the demarcation line of the Thannirpantha Block runs almost Eastern dircotion to reach the station No. 2, a distance of 530 links by passing through the intermediate station No. 1. Then runs in South-East direction to station No. 3 to a distance of 240 links.

The bearings and distances from station to station area as follows :—

Station From	*Numbers To*	*F. Bearings in degrees*	*Distances in links*
1	2	3	4
0	1	86	190
1	2	98	340
2	3	111	240

East.—From station No. 3 the demarcation line runs in South-West direction to reach the station No. 4 a distance of 690 links Then it runs in almost Eastern direction to reach the station No. 6, a distance of 965 links by passing through the middle station No. 5, Thence the line runs nearly Southern direction to reach the station No. 7, to a distance of 480 links. From there it runs in North-East direction to station No. 8 to a distance of 350 links. Thence the line runs in South -East direction to reach the station No. 11 distance of 695 links by passing through the intermediate station No. 9 and 10. From there the line runs in South-West direction to reach the station No. 16, a distance of 1250 links by passing through the middle station No. 12 to 15. Then the line runs nearly Southern direction to reach the station No. 18 a distance of 540 links passing through the middle station No. 17. Thence is turns in South-East direction to reach the station No. 20, a distance of 370 links by passing through the middle station No. 19. Then the line runs in almost Eastern direction to station No. 22 to a distance of 620 links passing through the middle station No. 21. Then runs in South-East direction to station No.23 to a distance of 260 links. From there it runs in North-East direction to station No. 25 to a distance of 730 links by passing through the intermediate station No. 24. Again it runs South-East direction to reach the station No. 29, a distance of 1005 links by passing through the intermediate station No. 26 to 28. Again it runs nearly Eastern direction to reach the station No. 31, a distance of 720 links by passing through middle station No. 30. Thence it runs South -East direction to reach the station No. 32, a distance of 265 links. Thence the line runs in South-West direction to reach the station No. 33 a distance of 390 links. Thence the line runs in South-West direction to station No. 34 to a distance of 550 links. Then runs in North-West directionto statoin No. 35 to a distance of 600 links. Then runs

almost in Western directin to reach the station No. 37, a distance of 920 links by passing through the intermediate station No. 36. Thence it runs in South-West direction to reach the station No. 38, a distance of 220 links. From there it runs nearly Southern direction to reach station No. 39 to a distance of 460 links. Then runs in South-East direction to station No. 42, a distance of 740 links by passing through station No. 40 and 41. Again runs in Southern direction to station No. 43 to a distance of 400 links. Again runs in South-East direction to station No.44 to a distanc of 330 links. Once again it runs in almost Southern direction to station No. 46 passing through the middle station No. 45 to a distance of 930 links. From there the line runs in South-East direction reach the station No. 53 to a distance of 2510 links by passing through the intermediate station No. 47 to 52. Thence it runs in South-East direction to reach the station No.54 a distance of 320 links.Again it runs in South-East direction to reach the station No. 55, a distance of 445 links.

The bearings and distances from station to staion are as follows :—

Station Numbers from	*To*	*F.Bearings in degrees*	*Distances in links*
1	2	3	4
3	4	206	690
4	5	84	480
5	6	94	485
6	7	169	480
7	8	77½	350
8	9	107	190
9	10	138½	215
10	11	146	290
11	12	247	180
12	13	253	300
13	14	245	250
14	15	239½	260
15	16	224½	260
16	17	189½	150
17	18	172	390
18	19	150	190
19	20	132	180

1	2	3	4
20	21	85	380
21	22	91½	240
22	23	101	260
23	24	73½	400
24	25	74	330
25	26	130	200
26	27	140	250
27	28	117½	175
28	29	113	380
29	30	100	190
30	31	86	530
31	32	153	265
32	33	242	390
33	34	267	550
34	35	282	600
35	36	274	440
36	37	270	480
37	38	228	220
38	39	187½	460
39	40	143	240
40	41	165½	280
41	42	165	220
42	43	179	400
43	44	147½	330
44	45	176	240
45	46	176	690
46	47	116	550
47	48	134	210
48	49	126	610
49	50	128	210
50	51	140	380
51	52	144	350
52	53	130	200
53	54	103½	320
54	55	149	445

South.—From station No. 55 the demarcation line runs in South-West direction to reach the station No. 57, a distance of 720 links by passing through the middle station No. 56. Then it runs North-West Direction to reach the station No. 58 to a distance

of 550 links. Then runs in nearly Northern direction to station No. 59 to a distance of 320 links. Again runs in North-West direction to station No. 61 to a distance of 725 links passing through the intermdiate station No. 60. Thence it runs in South-West direction to reach the station No. 63, a distance of 480 links. Then it runs North-West direction to reach station No. 63, a distance of 340 links From there it run in almost Western direcion to reach the station No. 64, to a distance of 415 links. Then it runs in South-West direction to reach the station No. 65, to a distance of 850 links. Thence it runs almost Southern direction to reach the station No. 66 a distance of 1000 links. From there it runs in South-East direction to reach the station No. 67, to a distance of 670 links. From there the line runs in North-West direction to reach the station No. 68, a distance of 800 links.

The bearings and distances from station to station are as follows:—

Station Numbers		*F. bearings*	*Distances*
From	*To*	*in degrees*	*in links*
55	56	244	260
56	57	247	460
57	58	311	550
58	59	294½	385
59	60	351	320
60	61	312	840
61	62	245½	480
62	63	333½	340
63	64	264½	415
64	65	240	850
65	66	182½	1000
66	67	152	670
67	68	287	800

West.—From station No. 68, the demarcation line runs almost Northern direction to reach station No. 69, a distance of 1100 links. Then it runs in North-West direction to reach the station No. 70 a distance of 550 links. Thence it runs in nearly North-East direction to reach station No. 71 to a distance of 600 links. Then

runs in Eastern direction to reach the station No. 72 a distance of 1000 links. Again it runs North-East direction to reach the station No. 73 to a distance of 300 links. From there it runs in North-West direction to reach the station No. 77, a distance of 2410 links by passing through the intermediate station No. 74 to 76. Thence it runs in North-East direction to reach the station No. 78 to a distance of 275 links. Thence it runs in Northern direction to reach the station No. 79 to a distance of 580 links. Thence it runs North-East direction to reach the station No. 80 to a distance of 290 links. The demarcation line runs in nearly Western direction to reach the station No. 81 to a distance of 250 links. From there it runs in North-West direction to reach the station No. 82 to a distance of 685 links. Thence it runs in North-West direction to reach the station No. 84 to a distance of 1370 links by pasing through the middle station No. 83. Again it runs in almost Northern direction to reach the station No. 85, a distance of 380 links. From there it runs in North-East direction to reach the station No. 87, a distance of 850 links by passing through the intermediate station No. 86. Thence it runs in North-West direction to reach the station No. 89, a distance of 870 links by passing through the middle station No. 88. From there it runs in Northern direction to reach the station No. 90, a distance of 350 links. Again it runs in North-West direction to reach the station No. 91, a distance of 390 links. Atlast the line runs in nearly Northern direction to reach the station No. 0, a distance of 275 links, which the starting point of the block.

The bearings and distances from station to station are as ollows :—

Station Numbers		*F. bearings in degrees*	*Distances in links*
From	*To*		
1	2	3	4
68	69	3½	1100
69	70	338½	550
70	71	68½	600
71	72	81½	1000
72	73	45½	300
73	74	328	790
74	75	333½	785
75	76	337	355

1	2	3	4
76	77	323	480
77	78	60	275
78	79	1½	580
79	80	330½	290
80	81	278	250
81	82	344	685
82	83	320	680
83	84	320	690
84	85	356½	380
85	86	39	360
86	87	28	490
87	88	326½	480
88	89	302	390
89	90	½	350
90	91	315½	390
91	0	352	275

Starting point of the Block.

Right of ways—

A cart track enters the block in between cairn No. 24 and 25 and comes out in between cairn No. 32 and 33 and another branch of the above cart track comes out in between Cairn No. 80 and 81 and joins the Main Road.

Other Privileges—

(*a*) Free grazing of cattle by the villagers.

(*b*) Free removal of green manure leaves for bonafide use by the villagers.

(*c*) Free removal of dry fuel for bonafide use by the villagers.

(*d*) Free removal of Muligrass for bonafide use by the villagers.

By Order and in the name of the Governor of Karnataka.

B. A. Gowda,

Under Secretary to Government,
Agriculture and Forest Department.

HOME SECRETARIAT

Notification No. HD 240 EDC 73.

Bangalore, dated 21st September 1974.

S. O. 981—In exercise of the powers conferred by section 67 of the Karnataka Excise Act, 1965, (Karnataka Act 21 of 1966) the Government of Karnataka hereby exempts from the levy of licence fee and reduces the excise duty leviable on rectified spirit sold to :—

(1) the Mysore Sugar Company Limited for the purpose of manufacture of acetic acid to be supplied to the Mysore Acetate and Chemicals Company Limited; and,

(2) the Mysore Acetate and Chemicals Company Limited for use in their Chemicals to five paise per bulk litre.

This notification shall be deemed to have come into force on the 8th May 1973 and shall remain in force upto 7th May 1975.

By Order and in the name of the Governor of Karnataka,

M. P. JAYASHANKARA ARADHYA,
Under Secretary to Government,
Home Department.

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LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 65 LCE 74,

Bangalore, dated the 6th May 1974.

S. O. 982—In exercise of the powers conferred by Section 8 of the Karnataka Civil Courts Act, 1964 (Karnataka Act No. 21 of 1964) the Government of Karnataka, in consultation with the High Court of Karnataka hereby makes the following amendment to the Government Notification No. LAW 56 LCE 71, dated 7th April 1971 as amended by Notification No. LAW 60 LCE 73, dated 18th May 1973 (herein referred as the said Notification) regarding the number of Civil Judges to the Court of Civil Judge, Bijapur.

AMENDMENT

In the said Notification for the words "Three years", the words "Four years" shall be substituted.

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government,
Deptt. of Law and Parly. Affairs.

DEVELOPMENT, HOUSING, PANCHAYAT RAJ AND CO-OPERATION SECRETARIAT.

Notification No. DPC 229 CEA 74.

Bangalore, dated 6th September 1974.

S. O 983.—In exercise of the powers conferred under sub-rule 17(b) (i) (v) of Rule 14 of the Karnataka Co-operative Societies Rules 1960, the Government of Karnataka hereby notify the following societies for the purpose of the said clause.

1. The Rajajinagar Co-operative Society Ltd., Bangalore ;

2. The Simpson Group Companies Employees Consumers Co-operative Society Ltd , Bangalore;

3. The Davangere-Harihara Central Co-operative Wholesale Stores Ltd , Davangere ;

4. The Chitradurga Central Co-operative Wholesale Stores Ltd., Chitradurga ;

5. The Bangalore University Consumers Co-operative Society Ltd., Bangalore :

6. The Cottage Industrial Powerlooms Cloth Manufcturers Co-operative Society Ltd., Doddaballapura ;

7. The Indian Institute of Science Consumers Co-operative Society Ltd., Bangalore ;

8. The University of Agricultural Science Co-operative Society Ltd., Bangalore.

9 The Mysore Textile Manufacturs Co-operative, Bank Ltd., Bangalore ;

10. The Veerasaiva Co-operative Society Ltd. Bangalore ;

11. Veerasaiva Co-operative Credit Society Ltd., Bangalore.

By Order and in the name of the Governor of Karnataka

A. BRITO,
Under secretary to Government,
Dev., Housing, P. Raj & Co-opn. Department

DEVELOPMENT, HOUSING, PANCHAYAT RAJ AND CO-OPERATION SECRETARIAT.

Notification No. DPC 8 BTX 74.

Bangalore, dated 27th March 1974.

S. O. 984.—WHEREAS the Taluk Development Board, Mundargi has passed a resolution at its meeting held on 20th February 1970 to increase the rate of Local cess on Land Revenue from twelve paise to twenty-five paise in a rupee, to augment the finances of the Board as required under sub-section (2) of Section 163 of the Karnataka Village Panchayats and Local Boards Act, 1959 (hereinafter referrered to as the said Act) and has published the same as required by sub-section (4) of the said section in Notice No. TDB. SR. 75, dated 25th June 1973 in Part III 3 of the *Mysore Gazette*, dated 18th October, 1973 inviting objections and suggestions from all the persons likely to be affected thereby, within one month from the date of publication of the said notice;

AND WHEREAS the said Gazette was made available to the public on 18th October 1973 :

AND WHEREAS no objections or suggestions have been received on the said notice ;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (6) of Section 163 of the said Act, the Government of Karnataka hereby determines the increase in the rate of Local cess at twenty-five paise in a rupee on all items of land revenue, with effect from 1st July 1974.

Ordered and in the name of the Governor of Karnataka,

J. B. CHAUGLE,
Under Secretary to Government,
Dev. Housing, P. Raj and Co-opn. Dept.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification-I No. HMA 316 MNI 74.

Bangalore, dated 11th April 1975.

S. O. 988.—Whereas the Government of Karnataka is satisfied that,

(i) the areas the situation, survey Nos., extent and boundaries and other de ails of which are specified in the schedule below situated within the limits of the Town Municipal Council, Channapatna are a source of danger to the Health. Safety and convenience of the public of these areas and of their nighbourhood by reason of the said areas being insanitary, squalid and over-crowded;

(ii) the buildings in the said areas used or intended to be used for human habitation are over-crowded and unfit for human habitation for want of repair, stability, freedom from damp, natural light and air, water supply, drainage and sanitary conveniences;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 3 of the Mysore Slum Areas (Improvement and clearance) Act, 1973 (Karnataka Act 33 of 1974), the Government of Karnataka hereby declare each of the said areas to be a slum area.

SCHEDULE

Sl. No.	Situation	Assessment No.	Extent AR AS	Boundaries East:	West:	North:	South:
1	2	3	4	5			
1.	Thulasithotada area III ward	628 to 628-1-4	A—G 1—00	Mutton Market Road	Murthymahal Talkies & Annegowda's land	Lakshmikatte Road	Thulasithotada Anjaney Temple area & Annegowdas lane.

By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA,
Under Secretary to Government,
Health and Municipal Admn. Department.

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HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification—II No. HMA 316 MNI 74

Bangalore, dated 11th April 1975.

S. O. 939.—WHEREAS the Government of Karnataka is satisfied that:—

(i) the areas the situation, survey os. extent and boundaries and other details of whi h are specified in the Schedule below situated within the limits of Town Municipal Council, Channapatna are a source of danger to the Health, Safety and convenience of the public of these areas and of their neighbourhood by reason of the said areas being insanitary, squalid and over-crowded;

(ii) the buildings in the said areas used or intended to be used for human habitation are overcrowde l and unfit for human habitation for want of repair, stability, freedom from damp, natural light and air, water supply, drainage and sanitary conveniences;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Karanataka Slum Areas (Improvement and Clearance) Act, 1973 (Karnataka Act, 33 of 1974), the Government of Karnataka hereby declare each of the said areas to be a slum area.

SCHEDULE

Sl. No.	Situation	Survey No. etc. Assessment Nos.	Extent	Areas Boundaries			
				East	West	North	South
(1)	(2)	(3)	(4)		(5)		
			A-G				
1	Mutton Market area III ward.	352–59 672–682	1-00	Cross Road joining Thiruchangeri.	Municipal conservancy lane.	Lakshmikatte road.	Municipal Cross lane.
2	Karaballa area II ward.	Part of S. No. 22 of Gendamadu.	4-00	Railway station Road.	Cross road of sweepers colony.	Railway area.	Sweepers colony main road.
3	New A. K. colony area II ward.	Part of S. No 23 and 24 of Gendamadu	1-00	Cross Road of sweepers colony ending.	Cross road of New A. K. Colony	Railway area	Municipal road (behind Sarvajanika High school).

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By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA,
Under Secretary to Government,
Health and Municipal Administration Department

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, Bl'ore.

PART IV

Section—2-C (ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour Dispute: Industrial Dispute between the workmen and the management oof Moosa Raza Saheb & Sons, No. 20/21, City Market, Bangalore-2.

Award of the Presiding Officer, Labour Court, Bangalore-52, published.

Read the following Papers:

(1) Letter No. 1927/74-75, dated 12/17th February 1975 from Sri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER,
LABOUR COURT, BANGALORE.

Dated this 12th day of February 1975.

Present:

Shri P. Srinivasacharya, B.A., LL.B., .. *Presiding Officer.*

Reference No. 31 *of* 1973

First Party

Hameed Khan, son of late Yousoof Khan, No. 52, Bapujinagar, Mysore Road, Bangalore-2.

vs.

Second Party

The Management of Mtosa Raza Saheb & Sons, No. 20/21, City Market, Bangalore-2.

Reference :—Government order No. FCL 167 LLD 73, dated 10th April 1973.

AWARD

1. The Government of Mysore (now Government of Karnataka) in their Order No. FCL 167 LLD 73, dated 10th April 1973 have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below :—

"Are the management of M. Moosa Raza Saheb & Sons, No. 6, Albert Victor Road, Fort, Bangalore-2, justified in terminating the services of Shri Hameed Khan, Salesman, with effect from 4th September 1972 ?

If not, to what other relief the workman is entitled ?"

2. The first party filed his claim statement through his advocate on 10th May 1973 and the second party filed its rejoinder on 2nd July 1973. On 20th July 1973 issues were framed and the case was set down for evidence. Thereafter neither party evinced any interest in conducting the case. Both parties were absent on several hearings and on the last three hearings both parties remained absent continuously. In the circumstances, the reference is fit to be rejected as neither party evinced any interest.

8. In the result, I pass an award rejecting the reference. No costs.

(Sd.)
(P. Srinivasacharya),
Presiding Officer,
Labour Court, Bangalore.

"Copy"

(P. Srinivasacharya),
Presiding Officer,
Labour Court, Bangalore.

Order No. SWL 54 LLA 75.

Bangalore, dated 6th March 1975.

S.O. 993 WHEREAS by State Government Order No. FCL 167 LLD 73, dated 10th April 1973 the Industrial Dispute between the workmen and the management of Moosa Raza Saheb & Sons, No. 20/21, City Market, Bangalore-2, was referred to the Labour Court, Bangalore for adjudication.

AND, WHEREAS, the Labour Court, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette*.

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secy. to Govt., S.W. and L. Deptt.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR DEPARTMENT

Labour Dispute.—Industrial Dispute between the workmes and the management of Iron and Steel Industrial Co-operative Society Ltd., 6 and 7 Industrial Town, Rajajinagar, Bangalore-44.

Award of the Presiding Officer, Labour Court, Bangalore.

Read the following Papers :

(1) Letter No. 1866/74-75, dated 31st January 1975, from Shri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 31st day of January 1975

Present :

Shri P. Srinivasacharya, B.A. LL.B., *Presiding Officer.*

Reference No. 96 of 1974

First Party.—

J. Vasudevan, 53, Wheeler Road, Bangalore-5.

Vs.

Second Party.—

The Management of Iron and Steel Industrial Co-operative Society Ltd., 6 & 7, Industrial Town, Rajajinagar, Btngaloroe-44.

Reference.—Government Order No. SWL 116 LLD 74, dated 19th June 1974.

AWARD

1. The Government of Karnataka in their order No. SWL 116 LLD 74, dated 19th June 1974 have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below:—

"Are the management of Iron and Steel Industrial Co-optrative Society Ltd., 6 & 7, Indusrial Town, Rajajinagar, Bangalore-560044 justified in dismissing Sri J. Vasudevan from service with effect from 10th May 1973?

If not, to what relief Sri J. Vasudevan is entitled?"

2. On receipt, the reference was registered as Reference No. 96 of 1974 and notices were issued to the parties to file their respective statements. The first party did not file his claim statement. To-day when the case was called, both the parties were present and filed a joint memo of settlement and prayed for an award in terms of the same. I have verified the said settlement memo. The terms are fair ahd reasonable and hence accepted. The first party is given a cheque for Rs. 2,500 in full and final settlement.

3. In the result, the reference is answered in terms of the joint memo which shall be annexed to this award and be deemed as forming part of it. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

"Copy"

(P. SRINIVASACHARYA),
Presiding Officer,
Labour Court, Bangalore.

IN THE COURT OF THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Ref. No. 96 of 74

First Party—Sri J. Vasudevan.

Vs.

Second Party.—The Management of Iron and Steel Industrial Co-operative Society, Ltd., Bangalore.

Memorandum of Settlement

Both the parties in the above case have settled the above dispute on the following terms and conditions:

1. That the first party has agreed to withdraw the above reference.

2. The second party has agreed to pay a sum of Rs. 2,500 (Rupees Two thousand and Five hundred) to the said workman in full and final settlement of all his claims and demands under the Labour Laws in force. The said amount is paid to-day by cheque No. 182681, dated 29th January 1975 for Rs. 2,500 drawn on the Karnataka Industrial Co-operative Bank Ltd., Rajajinagar, Bangalore in full and final settlement and the first party workman has received the same.

3. The first party workman shall not be entitled for re-instatement and the above setlement covers all the points in dispute and there are no outstanding liabilities on either side.

Both the parties shall bear their own costs.

Bangalore,
31-1-1975

Sd. (J. Vasudevan),
I Party.

Sd. (R. A. Kulbargi),
Representative II Party.

Sd. (B. R. Venkatesh),
II Party.

"Copy"

(P. SRINIVASACHARYA,)
Presiding Officer,
Labour Court, Bangalore.

Order No. SWL 34 LLA 75.

Bangalore, dated the 22nd February 1975.

S. O. 994.—

WHEREAS by State Government Order No. SWL 116 LLD 74, dated 19th June 1974, the Industrial Dispute between the workmen and the management of Iron and Steel Industrial Co-operative Society Ltd., 6 and 7 Industrial Town, Rajajinagar, Bangalore-44, was referred to the Labour Court, Bangalore, for adjudication.

AND, WHEREAS the Labour Court, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA.
Under Secy. to Govt., S. W. and L. Deptt.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour Dispute.—Industrial Dispute between the workmen and the management of Bagamane Estate, Malandur Post, Chikmagalur District.

Award of the Presiding Officer, Labour Court, Hubli-21, published.

Read the following papers :

(1) Letter No. LCH/REF/2460/74-75, dated 22nd February 1975, from Shri H. L. Narayana Gowda, Presiding Officer, Labour Court, Hubli-21.

BEFORE THE LABOUR COURT AT HUBLI

Reference ID LCH Claim No. 16/1973

Present : Sri H. L. Narayanagowda, B.A., LL.B.,
Presiding Officer.

Date : 22nd February 1975

Claimant.—Mohamed Ali and 20 others, Represented by the General Secretary, The South Indian Estates and General Workers' Union. Neikar Street, Chikmagalur.

Respondent.—Tht Management of Bagamane Estate Malandur Post, Chikmagalur District.

Order No. FCL 30 LLD 73, dated 23rd April 1973.

JUDGEMENT AND AWARD

The Government of Karnataka have made this reference under claust (c) of sub-section (1) of Section 10 of the I.D. Act, 1947 (Central Act 14 of 1947) referring the dispute between Sri Mohamed Ali and 20 others, workers of Bagamane Estate, and the Management of Bagamane Estate, Malandur Post, Chikmagalur District, for adjudication to this Court on the following points of dispute.

"(1) Are the Management of Bagmane Estate, Malandur Post, Chikmagalur District, justified in refusing work to 21 workers namely (1) Mohamed Ali, (2) Varadamurthy, (3) Doddapalamaniamma, (4) Karpan, (5) Angamurhy, (6) Thangavelu, (7) Subramani, (8) Sannapalaniamma, (9) Veeraiah, (10) Motaiah, (11) Alagamma, (12) Papamma, (13) Palani Muthu, (14) Raja, (15) Alumelu, (16) Poganda Maistry, (17) Seena, (18) Nagappa, (19) Appi, (20) Chandru, (21) Rukku, with effect from 2nd May 1972 ?

(2) If not to what relief the above said workers are entitled ?"

2. The claimants in their claim statement state as follows :

Sri Mohamad Ali and 20 others are the permanent employees of Respondent Management. However on 2nd May 1972 the Respondent orally refused work to these 21 employees without giving any notice or reason for the refusal of work. The action of the Management is illegal and against the principles of natural justice. These 21 employees are working under the Respondent from the past several years. The employees demanded their legitimate dues regarding salary, Bonus, etc. To get rid of these employees, the Respondent refused them work. The entire action of the Respondent is to victimise the claimants for their Trade Union activities, which is illgal. They pray that they may be reinstated in service with full back wages and continuity of service.

3. The Respondent has remained *exparte*. He has not filed written statement and has not contested the case of the claimant. The claimants Veeraiah, Tangavelu, Motaiah, Karpa, Marimuttu, Palaniamma and another Palaniamma and Alagamma have examined themselves and have closed. The Respondent has not adduced oral or documentary evidence.

4. I have persued the records and heard Sri Ramakrishna Gowda, learned advocate for the claimants.

5. The claimant Veeraiah has given evidence as WW-1 that in 1971 he was working in the Respondent Estate. It belongs to one Sri Manjegowda. He worked in the Estate till 1972. Himself, Karpa Mohmad Ali, Palaniamma, Doddapalaniamma, Tangavelu, Motaiah, Subbramani, Papammamma Naga, Seena,Bongra, Santu, Appi Maradu muttu were working in the Respondent Estate. They have mentioned all the names of the claimants in the claim statement. Their daily wages was Rs. 3 per day. Actually they were being paid Rs. 9 per week. They demanded, Bonus, Wages for festival holidays, Kmabali allowances, etc. The Respondent refused to pay. The Respondent bet them and asked them not to come to work any longer, This was in 1972. Then they approached the Union. The Respondent has not given in writing that they would not take them to work. No notice was issued to them stating that their work was not satisfactory, There was no domestic enquiry. After 3 weeks they gave a petition to the Labour Officer, Chikmagalur. They were issuing vouchers for having received their wages every week. Their names had been entered in the check roll. They pray that they may be reinstated in service with full back wages and continuty of service.

6. The other claimants *viz.*, WW-2 to WW-8 have given the same evidence. So I do not propose to mention their evidence.

7. These eight witnesses have sworn that the Respondent has without any just cause has refused work and they must be reinstated in service. The Respondent has not appeared before this Court and has not filed his written statement and has not contested the case of the claimant.

8. There are 21 claimants. But only 8 claimants have examined themselves. The other claimants have not appeared. I propose to order reinstatement of these eight claimants only. But no back wages are allowed.

AWARD

9. I order that the Respondent should reinstate the claimants Veeraiah WW-1, Thangavelu WW-2, Motaiah WW-3, Karpan WW-4, Marimuttu WW-5, Palaniamma WW-6 another Palanimamma w/o Karpa WW-7 and Alagamma WW-8. No back wages are allowed. Continuity of service is allowed. No costs.

Hubli

22nd February 1975.

H. L. NARAYANAGOWDA,
Presiding Officer,
Labour Court, Hubli.

"True Copy"

H. L. Narayanagowda,
Presiding Officer,
Labour Court, Hubli.

ORDER

No. SWL 62 LLA 75, Bangalore, dated the 10th March, 1975.

S.O. —995. WHEREAS by State Government Order No. FCI 30 LLD 73, dated 23rd April 1973 the Industrial Dispute between the workmen and the management of Bagamane Estate, Malandur Post, Chikmagalur District, was referred to the Labour Court, Hubli, for adjudication.

AND, WHEREAS the Labour Court, Hubli, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka, are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secy. to Govt.,
Social Welfare and Labour Dept.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR DEPARTMENT

Labour Dispute.—Industrial Dispute between the workmen and the management of Kumergode Estate Ltd., Mudigere P. O. Chickamagalur District.

Award of the Presiding Officer, Labour Court, Hubli-21 published.

Read the following Papers :

(1) Letter No. LCH/REF/2412/74-75, daated 18th February 1975 from Sri H. L. Narayana Gowda, Presiding Officer, Labour Court, Hubli-21.

BEFORE THE LABOUR COURT AT HUBLI

Reference ID (LCH) No. 67/1974

PRESENT :

Shri. H. L. Narayanagowda, B.A., LL.B., *Presiding Officer.*

Date : 12th February 1975

Claimant

Sri K. L. Ragavan, Representative by the Secretary, Mysore Estates Staffs' Union of South India, Chikmagalur.

Respondent

The Management of Kumergode Estate Ltd., Mudigere P.O., Chickmagalur District.

Ref : G.O. No. SWL 736 LLD 74, dated 26th October 1974.

AWARD

Case called :

Dated 12th February 1975 :

Claimant : By Sri P. H. Pinto present.

Respondent : By the Management of Kumergode Estate Limited

Shri. Gopalaiah files authorisation for the Respondent. He is permitted to appear for the Respondent.

Both parties file a Joint Memo stating that an award may be passed for 4 days' wages as per the Memo. The Award is passed ordering the Respondent to pay 4 days wages to the claimant. No costs.

H. L. Narayanagowda,
Presiding Officer,
Labour Court, Hubli.

Order No. SWL 53 LLA 75, Bangalore,

dated 6th March 1975.

SO. 996.—

WHEREAS by State Government Order No. SWL 736 LLD 74 dated 26th October 1974 the Industrial Dispute between the workmen and the management of Kumergode Estate Ltd., Mudigere P. O. Chickmagalur, was referred to the Labour Court, Hubli, for adjudication.

AND, WHEREAS, the Labour Court, Hubli has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour Dispute.—Industrial Dispute between the workmen and the management of M/s. Jolly Brothers (P) Ltd., 2, Residency Road, Bangalore-25.

Award of the Presiding Officer, Labour Court, Bangalore, published.

Read the following papers:

(1) Letter No. 1807-1808/74-75, dated 25th January 1975 from Shri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 27th day of January 1975

Present:

SHRI P. SRINIVASACHARYA, B.A., LL.B.,
Presiding Officer.

Reference No. 30 *of* 1972

First Party.—N. D. Lakshmanan, GBJ-502, HAL Colony, Marathahally Post, Bangalore-17.

Vs.

Second Party.—The Management of M/s. Jolly Brothers (P) Ltd., 2, Residency Road, Bangalore-25.

Reference.—Government Order No. FCL 1388 LLD 71, dated 29th February 1972.

AWARD

1. The Government of Mysore (now Government of Karnataka) in their Order No. FCL 1388 LLD 71, dated 29th February 1972 have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below:—

"Is the management of M/s. Jolly Brothers (P) Ltd., No. 2, Residency Road, Bangalore-25, (Registered Office at Laxmi Insurance Building. Sir P. M. Road, Bombay-2) justified in terminating the services of Sri N. D. Lakshmanan, Store Keeper with effect from 24th May 1969.

If not what relief is the said workman entitled to?"

2. The first party filed his claim statement on 27th March 1972 and the second party filed its counter-statement on 24th April 1972 and on the same day issues were framed and the case was set down for evidence.

3. To-day when the case was called on for hearing, both parties were present and filed a joint memo signed by both parties and their advocates. The first party submitted that he does not press this reference as his claims are fully settled out of Court. The joint memo is duly verified.

4. In the result, I pass an award rejecting the reference as not pressed. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

ORDER

No. SWL 30 LLA 75, Bangalore, dated 18th February 1975

S. O. 997.—

Whereas by State Government Order No. FCL 1388 LLD 71, dated 29th February 1972 the Industrial Dispute between the workmen and the management of M/s. Jolly Brothers (P) Ltd., 2, Residency Road, Bangalore-25, was referred to the Labour Court, Bangalore for adjudication.

And, whereas the Labour Court, Bangalore, has submitted to the State Government its award in respect of the said Industrial dispute.

Now, therefore, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act. 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secy. to Govt., S.W. and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour Dispute:—Industrial Dispute between the workmen and the management of Karnataka State Road Transport Corporation (B.T.S. Division), Bangalore-27.

Award of the Presiding Officer, Labour Court, Bangalore-52 published.

Read the following papers:

(1) Letter No. 2224/74-75, dated 20th March 1975 from Shri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 20th day of March, 1975

Present:

Shri P. Srinivasacharya, B.A., LL.B.
Presiding Officer.

Reference No. 38 *of* 1974

First Party.—

P. Balakrishnan, S/o Perumal, No. 14, K. V. Lane, Akkipet, Bangalore-2A.

Vs.

Second Party.—

The Management of Karnataka State Road Transport Corporation (B.T.S. Division), Bangalore-27.

Reference.—Government Order No. SWL 1229 LLD 73, dated 27th February, 1974.

AWARD

1. The Government of Karnataka in their order No. SWL 1229 LLD 73, dated 27th February, 1974, have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below :—

"Are the management of Karnataka State Road Transport Corporation (B.T.S. Division) justified in dismissing Sri P. Balakrishnan, an ex-employee, with effect from 11th February 1972 ?

If not, to what reliefs the workman is entitled ?"

2. The First Party filed his claim statement on 8th April 1974 wherein it is stated as follows :—He was appointed as a Helper in B.T.S. on the 4th September 1966; the first party was discharging his duty without any blemish, fault or remarks to the satisfaction of his immediate superiors and had not committed or was involved in any offence connected with his duties during the course of his employment; The first party was falsely implicated in a criminal case and the Chamarajpet Police had registered a case against the First Party in C.C. No. 703/66 for he was sentenced to rigorous imprisonment on 10th August 1966 by the Court of Second Magistrate Bangalore City. An appeal could not be preferred on the day of sentence nor bail application could be moved by the first party since he could not contact any of his relatives. However he had preferred an appeal after a couple of days after contacting his relatives. The Appellate Court, namely, the Court of District and Sessions Judge, Bangalore, modified the sentence to the period already undergone and released the first party. He was to remain in jail from the date of sentence, *i.e.*, 10th August 1966 till the date of appeal on 16th August 1966. The Upparpet Police charge-sheeted him on 19th June 1967 in C.C. No. 1149/67 in the Court of Second Magistrate. Bangalore City and he was acquitted on 23rd October 1967. In the year 1969

the Security office of the Bangalore Transport Service summoned him and enquired about the criminal cases and directed him to submit his explanation in writing. He had submitted his explanation along with the copies of the judgments, explaining the circumstances under which he was falsely implicated in the said cases by persons enimically disposed towards him. The Deputy General Manager, BTS, issued a show cause notice under sub-clause 15 of clause III of the Amended Standing Order citing the sentence in C.C. No. 703/66 and the judgment of the District Court, Bangalore and the alleged suppression of the information to the Administration. He had submiitted his explanation to the Show Cause Notice on 18th December 1971 explaining the circumstances under which the criminal cases were foisted on him at the behest of the pepole enimically disposed towards him, the circumstances under which he had to remain in prison for a couple of days and there was no suppression of information and as early as 1969 he had submitted his explanation to the Security Officer, B.T.S. But the Deputy General Manager, B.T.S., Bangalore, dismissed the first party from service with effect from 11th February 1972 giving a go-bye to all cannons of natural justice and without any formal enquiry and thereby he was denied reasonable opportunity to establish his innocence and defend himself. Thereafter he preferred an appeal before the General Manager (BTS) on 25th February 1972 which was rejected on 6th January 1974. The dismissal of the first party under the above circumstances is not legal and opposed to all cannons of justice, equity and fairness and also under Clause 19 under Chapter IV of the Amended Standing Orders which says: "uninterrupted good conduct for a period of two years on duty shall cancel all the previous punishment of the employee." Therefore, he prays to declare the order of dismissal dated 11th February 1972 as illegal and inoperative and direct the Second Party to reinstate him with all back wages and continuity of service.

3. This is opposed by the second party in its Rejoinder saying that First Party was appointed as Helper vide DEO No. 52/66, dated 16th April 1966 but he actually reported for duty on 6th April 1966. It is denied that First Party was discharging his duties satisfactorily. As admitted by the first party himself he was convcited in CC No. 703/66. The question of reduction of the sentence imposed by the learned Second Magistrate by the Appellate Court is not of much importance since he was not totally exonerated on the charges levelled against him. Conviction once imposed whether confirmed or reduced to undergo rigorous imprisonment is quite sufficient to take departmental action against the first party in accordance with sub-clause 14 of clause 3 under Chapter IX(B) of the B.T.S. Amended Standing Orders by which the first party was appointed and governed by the competent authority, which amounted to moral turpitude. It is true that the Divisional Security Inspector of B.T.S. Division enquired into the antecedents on the directions issued by the competent authority. The statement of the first party was recorded on 4th May 1970 and he has duly attested the corretness of his statement. The Second Party was not aware that the cirminal cases were falsely implicated by persons enimically disposed towards him and the first party is put to strict proof of the same. The Second Party admitted the show cause notice dated 27th October 1971 issued by the Deputy General Manager. It is further submitted that the first party underwent the imprisonment during the course of his employment suppressing wilfully vital information governing his attendance and availed leave by misrepresenting his official superiors. The second party also admitted the explanation submitted by the first party. Thereafter he was given personal hearing by the Deputy General Manager. Since the competent authority satisfied that the first party was guilty of the act of moral turpitude he was dismissed from service. The contention of the first that uninterrupted good conduct for a period of 2 years on duty shall cancel all the previous punishment of the employee, is applicable

only in respect of an employee who continues to be in service and not in the case of the first party who ceased to be an employee since dismissed. Therefore, the claims of the first party be rejected.

4. The following issues have been framed:

(1) Whether Second Party proves that it was justified in dismissing first party with effect from 11th February 1972 ?

(2) To what relief First Party is entitled ?

5. On behalf of the Second Party one Narayanappa, Case Worker, has been examined as MW-1 and evidence closed. The evidence of MW-1 is to the effect that the first party was wroking as Helper 'A' and he was appointed on 16th September 1966 and was removed from service on 11th February 1972 on the ground that he had committed some misconduct. Preliminary enquiry was held and Exhibit M-1 is the copy of the report. Exhibit M-2 is the copy of the Show Cause noticed dated 26/27th October 1971. Exhibit M-3 is the reply of first party, dated 18th December 1971. Exhibits M-4 dated 2nd December 1971 and M-5, dated 19th January 1972 are copies of memos of personal hearing Exhibit M-6 is the copy of the statement of First Party. Exhibit M-7 is the copy of the termination order. First Party filed an appeal to General Manager and this was rejected as per copy of order Ex. M. 8. He denied the suggestion that no formal enquiry was held by the Second Party in this case. He also denied the suggestion that First Party was not given an opportunity to defend himself.

6. First Party workman got himself examined as W W.1 and has stated that he was appointed as Helper in BTS Division. He has served BTS for 6 years without any blemish and during the course of employment has not committed any offence touching his service. The Chamarajpet Police foisted a case against him for an alleged offence under Section 379 and the Court has awarded three months

rigorous. Ex. W-1 is the true copy of the judgment of the Magistrate Court. He had preferred an appeal to the Sessions Judge. The day on which the court sentenced him three months imprisonment he was not able to meet any of his relations and to take steps regarding appeal. He had preferred an appeal and Ex. W-2 is the copy of the judgment. He has then joined in the service of the Second Party. In 1967 Upparpet Police has filed a case against him for similar offence in the same Second Magistrate Court, Bangalore, wherein he was acquitted. In the year 1969 the Security Officer sent for him and asked about these court cases. He produced judgment copies and his statement was not recorded. He was asked to go. He continued to serve the Second Party. Then he received show cause notice after 6 years. No enquiry was held. He was not given any opportunity to explain the facts and circumstances appearing against him and he was not given any opportunity to defend the case. Without any enquiry he was dismissed. He appealed to the General Manager. That was rejected. Therefore he applied to the Conciliation Officer and the Government has referred this case. He says he is innocent and his dismissal invalid and unjust. He has never committed any theft. He had some personal enemity to the police constable who managed to lodge a false complaint by a stranger and got him involved in the theft case. In fact he had not committed any theft. The second case was also a false on account of the enemity which continued. His total service was 6 years, during which period he was obedient and did work honestly. Ex. W-3 is the judgment of acquittal. In cross-examination he has stated that he did not know the name of the constable in the first case, but know the name of the police constable in the second case; his name was Narayanappa. After his acquittal he has not seen Narayanappa. He denied the suggestion that he had no enemity with the police constable who had foisted the first case. He does not know Kannada and he did not give any instruction to Ex. M. 6. He denied the suggestion that he has given a statement as per Ex. M. 6. Security Officer heard his say in the matter. He could not

see Deputy General Manager. It is incorrect to say that he was given opportunity to explain his case, defend himself and after hearing and going through the document, orders were made by II Party.

7. *Issue* : *No.* 1.—As per the Claim Statement and the Explanation dated 18th December 1971 submitted by the I Party (which is marked as Ex. M-3 by the II Party), I Party was appointed as Helper in the B.T.S. in the month of September 1966. The management witness M.W. 1 has also stated that I Party was appointed on 16th September 1966 as Helper-A. But in the Rejoinder, the II Party has stated that I Party was appointed as Helper "vide DEO No. 52/66 dated 16th April 1966, but he actually reported for duty on 6th April 1966." As admitted by M.W. 1 if I Party's appointed was in the month of September 1966, I Party's conviction on 10th August 1966 cannot be treated as misconduct at all as per the Amended Standing Order Clause III (15), which reads as follows :—

"III. The following Acts or omission shall be treated as misconduct :

xx xx xx

15. Award of punishment by any lawful Court for any criminal offence involving moral turpitude or imprisonment etc.."

The II Party has not produced any Service Record or any documentary evidence to substantiate the fact that I Party was appointed in the month of April 1966 and he had actually reported for duty on 6th April 1966 as per the order dated 16th April 1966 as stated in the counter-statement. In the circumstances, I am not inclined to accept the statement made in the Counter statement of the management that I Party reported for duty on 6th April 1966 and that his orders were issued subsequently on 16th April 1966.

8. Assuming that I Party's appointment was in the month of April 1966, there is no satisfactory explanation for the in-ordinate delay in initiating proceedings in the month of December 1971 by issuing show cause notice in treating this conviction as misconduct and in taking action under Amended Standing Order III. 15. The Security Officer who appears to have been given report dated 17th May 1971 (Ex. M-1) which can be treated as first information report or complaint, has not been examined to find out under what facts and circumstances this conviction came to his light and from which source and what was the immediate cause which prompted him to submit his complaint to the Deputy General Manager. The explanation of the I Party is that some persons who were enemically disposed towards him had filed false complaint in the police in the month of March 1966 and being poor he could not properly arrange for his defence which ended in conviction and he was compelled to remain in jail for 5 or 6 days as he could not contact any of his family members due to financial stringency and before the Sessions Court the learned counsel did not represent the correct picture though he was instructed to argue the I Party was innocent and it was a fit case for acquittal which could be seen from the Order Sheet Ex. W. 2. In support of his explanation that some persons who were enemically disposed towards him had made false allegation, I Party has produced a copy of the judgment of the II City Magistrate, Bangalore, in C.C. No. 1149 of 1967 wherein he has been acquitted for the similar offence. In the circumstances, I Party's request and prayer is the conviction in the year 1966 which was previous to his joining service in the II Party should not have been treated as misconduct and on that ground his services should not have been terminated, specially when his entire service in the II Party was unblemish and very satisfactory.

9. There is no reason to disbelieve the version of the I Party that work was quite satisfactory as no contra-evidence has been led by the II Party by examining

any responsible officer to show that I Party's service was not satisfactory. It is also significant to note that when the explanation of the I Party was called for he readily give it without biding and twisting any facts. The same version he has represented while preferring appeal to the higher authorities and also in his claim statement and evidence before this Court. This reveals the innocence of the I Party.

10. It is beyond contraversy that the date of alleged theft was on 27th March 1966, which is before I Party entered into the service of the II Party either in April or September 1966. This ought not to havt been treated as a misconduct. No offence could be treated as misconduct if it does not find place in the certified Standing Orderh and any contravention of the provisions of the Standing Order is improper and illegal.

11. It was not fair and proper for the management to go into the past history of the employee even before he entered into the service and impose on him punishment of dismissal which is unduly harsh, severe and disproportionate to the alleged misconduct. In this vtew, I am supported by the observations of the Supreme Court in Management of the Federation of Indian Chambers of Commerce and Industry *Vs.* Their Workman, Shri R. K. Mittal (reported in 1971 II LLJ 630), the relevant observations are quoted below:

"..... it is a settled rule that the award of punishment for misconduct is a matter for the management to decide and if there is justification for punishment imposed, the Tribunal should not interfere; but where the puntshment is so disproportionate that no reasonable employer would ever have imposed it in like circumstances the Tribunal may treat the imposition of such punishment as itself showing victimisation or unfair abour practice"

Viewed from any angle, the II Party was not justified in dismissing the I Party workman treating his conviction

for alleged theft on 27th March 1966 as a misconduct under the Standing Orders III. 15, which was obviously prior to his appointment as Helper under the II Party. Accordingly, I answer Issue No. 1 against the II Party and in favour of the I Party.

12. *Issue No.* 2.—It therefore follows that the I Party workman is liable to be reinstated with continuity of service. In the facts and circumstances of the case, I am inclined to feel 25 per cent of the back wages in addition to the relief of reinstatement would meet the ends of justice. Hence my Award.

AWARD

13. In the result, the Management of Karnataka State Road Transport Corporation (B.T.S. Division) are not justified in dismissing Sri P. Balakrishnan, an *ex-employee,* with effect from 11th February 1972. The I Party workman, Sri P. Balakrtshnan, is entitled to the relief of reinstatement with continuity of service and 25 per cent of his back wages. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

"Copy"

P. Srinivasacharya,
Presidtng Officer,
Labour Court, Bangalore.

ORDER

No. SWL 82 LLA 75, Bangalore, dated 3rd April 1975

S. O 998.—

WHEREAS by State Government Order No. SWL 1129 LLD 73, dated 27th February 1974 the Industrial Dispute between the workmen and the management of Karnataka State Road Transport Corporation (B.T.S. Division), Bangalore-27 was referred to the Labour Court, Bangalore for adjudication.

AND, WHEREAS the Labour Court, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—Industrial Dispute between the Workmen and the Management of The Proprietor, Hotel New Janatha, Mission Road, Subbaiah Circle, Bangalore-23.

Award of the Presiding Officer, Labour Court, Bangalore, Published.

Read the following papers.

(1) Letter No. 1966/74-75, dated 19th February 1975 from Sri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 19th day of February 1975

Present :

Shri P Srinivasacharya, B.A., LL.B.,

Presiding Officer.

Reference No. 172 *of* 1974

First Party.—

Krishna, Represented by the Secretary, Bangalore District Hotel and Canteen Workers Union, 50-A, A. S. Char Street, Bangalore-560053.

Vs.

Second Party.—

The Proprietor, Hotel New Janatha, Mission Road, Subbaiah Circle, Bangalore-560027.

Reference :—

Government Order No. SWL 735 LLD 74, dated 6th November 1974.

AWARD

1. The Government of Karnataka in their Order No. SWL 735 LLD 74, dated 6th November, 1974, have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below:—

"Are the Management of Hotel New Janatha, Mission Road, Bangalore-27, justified in terminating Sri Krishna, from service with effect from 14th November 1973 ?

If not, to what relief tht workman is entitled ?"

2. On receipt of the reference, it was registered as Reference No. 172 of 1974 and notices were issued to the parties to file their respective statements. The parties have not filed their statements. To-day when the case was called on, both parties were present ; Rs. 100 was paid to first party and first party submitted that he [illegible]

press this reference and it may be treated as settled out of Court.

3. In view of the above submission, the reference is closed. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

Order No. SWL 58 LLA 75 Bangalore,

dated 10th March 1975.

S.O. 999 .—WHEREAS by State Government Order No. SWL 735 LLD 74, dated 6th November 1974 the Industrial Dispute between the workmen and the Management of Hotel New Janatha, Mission Road, Subbaiah Circle, Bangalore-23, was referred to the Labour Court, Bangalore, for adjudication.

AND, WHEREAS the Labour Court, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the published of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—Industrial Dispute between the workmen and the management of Mysore Metal Industries, Virgonagar Post, Bangalore-560049.

Award of the Presiding Officer, Labour Court, Bangalore, published.

Read the following papers:—

(1) Letter No. 2108/74-75, dated 3rd/10th March 1975 from Sri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 3rd day of March 1975

Present:

SHRI P. SRINIVASACHARYA, B.A., LL.B.,
Presiding Officer.

Reference No. 94 of 1974

First Party.—

Sardar Basha, C/o A. Ameer Baig, Skin Merchant, Door No. 134. Krishnarajapuram, Bangalore-560036.

Vs.

Second Party.—

The Management of Mysore Metal Industries,

Reference.—Government Order No. SWL 436 LLD 74, dated 20th June 1974.

AWARD

1. The State Government in their Order No. SWL 436 LLD 74, dated 20th June 1974 have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below:—

"Are, the management of Mysore Metal Industries, Virgonagar Post, Bangalore-49, justified in dismissing Shri Sardar Basha from service with effect from 14th September 1973 ;

If not, to what relief, is the workman entitled to ?"

2. The first party filed his claim statement on 17th July 1974 and the second party filed their counter-statement on 19th August 1974 and on the same day issues were framed and the case was set down for evidence.

3. Today when the case was called on for hearing, both parties were present and filed a joint memo of settlement and prayed for an award is terms of the same. I have gone through the terms of settlement. The terms are fair and reasonable. Hence I accept the same.

4. In the result, I pass an award in terms of the joint memo of settlement which shall be annexed to this award and be deemed as forming part of it. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE HONOURABLE LABOUR COURT, BANGALORE.

Reference No. 94 of 1974

I Party.—

Sri Sardar Basha C/o A. Ameer Baig, Skin Merchant, Krishnarajapuram, Bangalore-560036.

Vs.

II Party.—

The Management of Mysore Metal Industries, Virgonagar Post, Bangalore.

Joint Memo of Settlement

The parties in the above dispute have reached an amicable settlement on the following terms:

1. The II Party Management agrees to reinstate Sri Sardar Basha with immediate effect with continuity of service and on the same terms and conditions as enjoyed by him hitherto.

2. The II Party Management further agrees to pay Rs. 800 (Rupees Eight hundred only) as wages to Sri Sardar Basha for the period of unemployment so far.

3. The II Party Management agrees to pay the amount mentioned in clause 2 within a day or two.

4. The I Party workman agrees to work on jobs which are incidental and connected with his employment in the Factory and which do not require any more skill than his usual job.

5. The I Party workman agrees to the above terms of this settlement.

The I Party and the II Party pray that this Honourable court may be pleased to pass an award in terms of this settlement.

Dated this 3rd of March 1975 at Bangalore.

ASHFAK HUSSAIN,
Authorised Representative.

SARDAR BHASHA,
I Party.

M. V. RAJA,
II Party,

Bangalore,
Dated: 3-3-1975.

R. & M. Associates,
Bangalore.

ORDER No. SWL 72 LLA 75,

Bangalore, dated the 24th March 1975

S.O. 0010 .—Whereas by State Government Order No. SWL 436 LLD 74, dated 20th June 1974 the industrial dispute between the workmen and the management of Mysore Metal Industries, Virgonagar Post, Bangalore-49, was referred to the Labour Court, Bangalore, for adjudication.

And, whereas the Labour Court, Bangalore, has submitted to the State Government its award in respect of the said industrial dispute.

Now, therefore, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka

K. MYLARAPPA,
Under Secy. to Govt., S.W. and Labour Department

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—Industrial Dispute between the workmen and the management of Mysore Metal Industries, Virgonagar Post, Bangalore-49.

Award of the Presiding Officer, Labour Court, Bangalore, published.

Read the following papers:—

(1) Letter No. 2106/74-75, dated 10th March 1975 from Shri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 3rd day of March, 1975

Present:

SHRI P. SRINIVASACHARYA, B.A., LL.B.,
Presiding Officer.

Reference No. 88 of 1974

First Party.—Chandra, D. No. 218, Second House, Krishnarajapuram, Bangalore-36.

Vs.

Second Party.—The Management of Mysore Metal Industries, Virgonagar Post, Bangalore-49.

Reference.—Government Order No. SWL 435 LLD 74, dated 4th June 1974.

AWARD

1. The State Government in their Order No. SWL 435 LLD 74, dated 4th June 1974 have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of disputt noted below:—

"Are the management of Mysore Metal Industries, Virgonagar Post, Bangalore-49, justified in dismissing Sri Chandra from service with effect from 14th September 1973 ?

If not, to what relief, is the workman entitled ?"

2. The first party filed his claim statement on 1st July 1974 and the second party filed their counterstatement on 12th September 1974 and the case was the set for evidence.

3. Today when the case was called on for hearing both parties were present and filed a joint memo of settlement and prayed for an award in terms of the same. I have gone through the terms of the settlement. The terms are fair and reosonable. Hence I accept the same.

4. In the result, I pass an award in terms of the joint memo of settlement which shall be annexed to this award and be deemed as forming part of it. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE HONOURABLE LABOUR COURT, BANGALORE.

Reference No. 88/74

Ist Party.—

Chandra, D. No. 218, Second House, Krishnarajapuram, Bangalore-36.

Vs.

IInd Party.—

The Management of Mysore Metal Industries, Virgonagar Post, Bangalore.

Joint Memo of Settlement

The parties in the above dispute have reached an amicable settlement on the following terms :

1. The II Party Management agrees to reinstate Sri Chandra with immediate effect with continuity of service and on the same terms and conditions as enjoyed by him hitherto.

2. The II Party Management further agrees to pay Rs. 800 (Rupees Eight hundred only) as wages to Sri Chandra for the period of unemployment so far.

3. The II Party Management agrees to pay the amount mentioned in clause 2 within a day or two.

4. The I Party workman agrees to work on jobs which are incidental and connected with his employment in the factory and which do not require any more skill than his usual job.

5. The I Party workman agrees to the above terms of this settlement.

The I Party and the II Party pray that this Honourable court may be pleased to pass an award in terms of this settlement.

Dated this 3rd of March 1975 at Bangalore.

ASHFAK HUSSAIN,
Authorised Representative.

(ಚಂದ್ರ)
CHANDRA,
I Party.

M. V. RAJA,
R. & M. Associates,
Bangalore.

Bangalore,
Dated: 3-3-1975

ORDER

No. SWL 70 LLA 75, Bangalore, dated 24th March 1975.

S.O. 1001—Whereas by State Government Order No. SWL 435 LLD 74, dated 4th June 1974 the Industrial Dispute between the workmen and the management of Mysore Metal Industries, Virgonagar Post, Bangalore, was referred to the Labour Court, Bangalore for adjudication.

And, whereas the Labour Court, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, therefore, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka, are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secy. to Govt., S.W. and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR DEPARTMENT

Labour dispute—Industrial dispute between the workmen and the Management of Hinare Estate, Kalasa Post, Chickmagalur District.

Award of the Presiding Officer, Labour Court, Hubli-21 Published.

Read the following papers.

(1) Letter No. LCH/REF/2447/74-75, dated 21st Februtry 1975, from Sri H. L. Narayana Gowda, Presiding Officer, Labour Court, Hubli.

BEFORE THE LABOUR COURT AT HUBLI

Reference ID LCH Claim No. 78/1972

Present :

Sri H. L. Narayanagowda, B.A., LL.B.,
Presiding Officer.

Date : 21st February 1975

Claimant—

Sri P. U. Gopal Krishna Nair, C/o The Secretary, Estates Staff Union of South India, Chickmagalur.

Vs.

Respondent—

The Management of Hinare Estate, Kalasa Post, Chickmagalur.

Order No. FCL 96 LLD 72, dated 2nd March 1972.

JUDGEMENT AND AWARD

The Government of Karnataka have made this reference under clause (*c*) of sub-section (1) of Section 10 of the I.D. Act 1947 (Central Act 14 of 1947) referring the dispute between Sri P. U. Gopal Krishna Nair, Ex-Writer of Hinare Estate, and the Management of Hinare Estate, Kalasa Post, Chickmagalur District, to this Court on the following points of dispute.

"1. Are the Management of Hinare Estate, Kalasa Post, Chickmagalur District, justified in terminating the service of Sri P. U. Gopal Krishna Nair, writer with effect from 1st September 1971 ?

2. If not to what relief, is Sri P. U. Gopal Krishna Nair entitled. ? "

2. The claimant in his claim statement states as follows : The claimant is a permanent staff member of the Respondent. The Respondent retrenched the service w.e.f. 1st September 1971. Necessary precedent to retrenchment as stipulated in law have not been complied with and therefore on this score alone the retrenchment is null and void. The reason given in the retrenchment order is hazy and vague. In fact the so called reorganisation is only a false pretext to get rid of the claimant. There is no trade or valid reasons for this retrenchment. The retrenchment is *mala fide* and is purely undertaken to victimise the worker. The order of retrenchment is defective in law and on the basis of which our member cannot be retrenched as an order based on defective grounds which violates the provisions of the I.D. Act and principles of natural justice is null and void. He prays that he may be reinstated in service with full backwages and continuity of service.

3. The Respondent in its written statement pleads as follows :

It does not admit that the Estate Union of South India, Chickmagalur is a recognized Union and that the claimant is a member and that the Union is empowered to bring the action on behalf of the claimant. It is true that he was appointed as writer on 22nd February 1971. It is true that his services have been terminated w.e.f. 1st September 1971. His services were terminated with a view to effect economy in the estate and is in accordance with law. After the services of the claimant were terminated again in the month of January 1972 the claimant approached the Respondent and requested to settle the

accounts. The Respondent took pity on the claimant and in that connection a settlement was arrived at between the claimant on 18th January 1972. The claimant has received Rs. 1,368-20 in full settlement of all his claims including claim for reinstatement etc. He has issued a receipt on 18th January 1972. The receipt is produced herewith. From the receipt it is clear that the amount is in full satisfaction of all his claims. After the reference was received the claimant assured the Respondent to report the matter to the Court, and get the reference rejected. The respondent believed the claimant and did not attend the Court. But subsequently the Respondent came to know that the claimant has not reported the matter to Court and has not only played fraud on the Respondent but also on Court. The claimant having received Rs. 1,368-20 in full settlement of all his claims is estopped from contending that the termination of his services is null and void. He prays that the reference may be rejected.

4. Issues are on the Respondent. But the Respondent remained *ex parte* on 12th February 1975. His case was closed. He has adduced neither oral nor documentary evidence. In support of its case the claimant has examined himself and has closed.

5. I have perused the records and heard Sri G. N. Krishnappa, learned advocate for the claimant. Sri D. L. Krishnaswamy is not heard as he retired.

6. The claimant in his evidence has stated that he was working in the Respondent estate as writer. He was getting a salary of Rs. 298 p.m. On 24th August 1971 his services were terminated. On the first week of September 1971 he came to know that his services had been terminated. He received communication from the Respondent stating that his services had been terminated as the Respondent wanted to retrench some employees for want of work. He received his salary for the month of August. He is also entitled to get house rent allowance of Rs. 50 p.m. He prays that he may be reinstated in service with full back wages and continuity of service.

7. The Respondent has not adduced any evidence to prove that the termination of services of the claimant are fully justified. So, I must reinstate the claimant back in service. But no back wages will be allowed.

AWARD

8. I order that the Respondent should reinstate the claimant in service. No back wages are allowed. Continuity of service is allowed. No costs.

Hubli, H. L. NARAYANA GOWDA,
Presiding Officer,
21st February 1975. *Labour Court, Hubli.*

Order No. SWL 56 LLA 75, Bangalore, dated 10th March 1975.

S. O. 1002.—

WHEREAS by State Government Order No. FCL 96 LLD 72, dated 2nd March 1972 the industrial dispute between the workmen and the Management of Hinare Estate, Kalast Post, Chickmagalur District, was referred to the Labour Court, Hubli, for adjudication.

AND, WHEREAS the Labour Court, Hubli, has submitted to the State Government its award in respect of the said industrial dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 92 MNI 75.

Bangalore dated 14th April 1975

S. O. 1005.—Whereas the Government of Karnataka is satisfied that:

(i) the areas, the situation, survey. nos., extent and boundaries and other details of which are specified in the Schedule below situated within the limits of the Town Municipal Council Nagamangala, are a source of canger to the Health, Safety and Convenience of the putlic of these areas and of their neighbourhood by reason of the said areas being insanitary, squalid and over-crowded;

(ii) the buildings in the said areas used or intended to be used for human habitation are overcrowded and unfit for human habitation for want of repair. stability, freedom from damp, natural light and air, water supply, drainage and sanitary conveniences;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 3 of the Mysore Slum Areas (Improvement and Clearance) Act, 1973 (Karnataka Act 33 of 1974), the Government of Karnataka hereby declare each of the said areas to be a slum area.

SCHEDULE

Sl. No.	Situation	Survey No. etc.	Extent	AREAS Boundaries			
				East	West	North	South
1	2	3	4	5			
			A. G				
1	Behind of Taluk Office	456	0-35 0-25	Hirekere Wet land	Jumma Mosque	Hirekere Wet land	Mandya Road
2	Behind of A. K. Hostel	...	1-20	Sulekere Wet land	Mandya Road South IInd cross	Mandya Road	Sulekere Wet land
3	A. D Colony	508	1-20 0-15	Sulekere Wet land	Mysore Nelligere road	Mysore Nelligere East 1st cross	Sulkere Wet land
4	A. K. Colony and Saukabalii Mohalla	...	6-00	Mysore Nelligere Road	Hanumantharayana street	Babaiahnagudi Street	Mysore Toll gate and Sulekere wet land
5	Site on south side of Veerabhadraswamy street commencing from Anjaneya temple to Veerabhadraswamy temple.	...	23-00	Hanumantharayana street	Veerabhadraswamy temple	Veerabhadraswamy temple street	A. K. colony street

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1	2	3	4	5			
6	Muchetti	...	2-20	Badagodamma Street south 7th cross.	Maramma temple street.	Badagodamma temple road.	Banjigara street
7	Slum on Hosastreet.	...	3-00	Maramma Temple road	Badagodamma South IInd cross.	Badagodamma road.	Hosa street
8	Slum in Gangamahada Block.	...	2-00	Bus-stand west Corner street	Jothipanada street	Keshavaswamy Temple road.	Padagodamma temple street
9	Slum on mutton stall road west side.	...	1-00	Mutton stall Road	Jothipanada street.	Tank Bund	Kolada street.
10	Slum on Brahmins street north IInd cross near sri Nanjundaiah House area.	272	0-30 0-25	Private vacant lands.	Bhamaing street North IInd cross.	Tank Bund	Brahmins street

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By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA,
Under Secretary to Govt.,
Health and Municipal Admn. Deptt.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 93 MNI 75

Bangalore, dated 15th April 1975.

S O. 1006.—WHEREAS the Government of Karnataka is satisfied that—

(i) the areas, the situation, survey Nos., extent and boundaries and other details of which are specified in the schedule below situated within the limits of the Tiptur Town Municipality, Tiptur are a source of danger to the Health, safety and convenience of the public of these areas and of their neighbourhood by reason of the said areas being insanitary, squalid and over-crowded;

(ii) the buildings in the said areas used or intended to be used for human habitation are overcrowded and unfit for human habitation for want of repair, stability freedom from damp, natural light and air, water supply, drainage and sanitary conveniences;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Mysore Slum Areas (Improvement and clearance) Act, 1973 (Karnataka Act 33 of 1974), the Government of Karnataka hereby declare each of the said areas to be a slum area.

SCHEDULE

Sl. No.	Situation	Survey, No. Assessment No.	AREAS Extent	Boundaries East	West	North	South
1	2	3	4	5			
			A-G				
1	Behind Govt. High School, K.R. Extension.	153	1-26	High School Ground.	General Hospital boundary	Kanchagatta S. No.	General Hospital boundary.
2	Behind the residence of Singri Subramanyam K.R. Extension.	4	0-20	S. No. 2 of Sri M. B. Shankarappa's land.	Remaining of S. No. 4.	Boundary of S. No. 3	Residential houses of Sr H. D. Shivanna and others
3	Behind Sri Saibaba Mandira K.R. Extension.	—	0-16	Garden Sri T. N. Shankar Rao	Municipal Conservancy	Garden of Sri M. B. Shankarappa.	Garden of late G. K. Mallappa.
4	B. H. Road left side (near muslim burial ground).	209	1-20	Land Sri P. Nanjundappa's land and other dwelling houses.	Muslim Burial ground.	Vacant land of Sri N. Basavaiah.	Mosque land.

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1	2	3	4	5			
5	Opposite R.C. Overhead tank Gandhinagar Extn.	—	4-00	Municipal Road	Revenue land belonging to M. R. Ramanna and Sanjeevamurthy	G. B. Gangaiah and M. R. Ranganna's Revenue land.	Keregodi Road.
6	East of Bovi colony Karibasappa's land.	—	3-00	Sri Laxmi Saw Mill.	Municipal Road.	Mosque and the land in the name of Sri Yellamadevru	Conservancy
7	Near Railway bridge belonging to Regulated Market Committee.	—	1-00	P. W. D. Road	R. M. C. Yard Vacant land.	Railway line.	Municipal Road.
8	Near Gurappa Katte Gandhi nagar Extension to the East of Bovi colony.	295	2-00	Rangapura Road	Municipal layout sites.	Harijan colony	Municipal Road.

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By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA,
Under Secretary to Government,
Health and Municipal Admn. Department.

FINANCE SECRETARIAT

Notification No. FD 38 CAX 74

Bangalore, dated 17th February 1975.

S. O. 1007 —In exercise of the powers conferred by clause (g) of Section 12 of the Karnataka Agricultural Income Tax Act, 1957, (Karnataka Act No. 22 of 1957), the Government of Karnataka hereby approve the "DIAMOND JUBILEE FUND OF UNIVERSITY OF MYSORE" for the purposes of the said clause.

By Order and in the name of the Governor of Karnataka,

T. M. VASUDEVAN,
Under Secretary Government,
Finance Department.

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FINANCE SECRETARIAT

AMENDMENT No. FD 570 CSE 74

Bangalore, dated 13th February 1975.

S. O. 1008.—In exercise of the powers conferred by clause (a) of sub-section (2) of Section 3-B of the Karnataka Sales Tax Act 1957 (Act No. 25 of 1957), the Government of Karnataka hereby makes the following amendment to the Government Notification No. FD 347 CSE 72, dated 23rd September 1972, namely:—

"In the table to the said Notification:—

(1) In column "Jurisdiction" against Serial No 6 for the words 'Dharwar, North Kanara and Belgaum Districts", the words 'Dharwar, North Kanara, Belgaum and Bijapur Districts" shall be substituted, and

(2) In column 'Jurisdiction" against Serial No. 7 for the words Bellary Raichur, Gulbarga Bidar Bellary, and Bijapur Districts", the words "Bellary, Raichur, Gulbarga and Bidar Districts", shall be substituted.

By Order and in the name of the Governor of Karnataka

T. M. VASUDEVAN,

Under Secretary to Government,
Finance Department.

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SOCIAL WELFARE AND LABOUR DEPARTMENT

Notification No. SWL 230 LSI 74

Bangalore dated 12th September 1974.

S. O. 1009 —In exercise of the powers conferred by Section 88 of the Employee's State Insurance Act, 1948 (Central Act 34 of 1948), the Government of Karnataka hereby exempts the employees of M/s. Tungabhadra Board Fish Net Making Plant, T.B. Dam P.O., *via*-Hospet, whose names are indicated in column (2) of the table below for the period specified in the corresponding entries in column 4) thereof from the operation of the said Act, subject to the conditions that :—

(1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees ;

(2) Notwithstanding this exemption, the employee shall continue to receive such benefits under the said Act, to which they might have become entitled to on the basis of contributions paid prior to the date from which the exemption granted by this notification operates.

(3) the contributions paid by the employees during the period prior to the date fram which the exemption granted by this notification operates shall not be refundable.

TABLE

Sl. No.	Names	Designation	Period of Exemption	
			From	To
1	2	3	4	
1	Sri C. H. Madhava Rao	U.D.C.	25-9-74	24-9-75
2	Sri M. S, Deshapande	L.D.C.	25-9-74	24-9-75
3	Kum. K. Zubeda	L.D.C.	25-9-74	24-9-75
4	Sri B. H. Gopal	Typist	25-9-74	24-9-75
5	Sri R. Abdul Gani	Mechanic	25-9-74	24-9-75
6	Sri M. Sachidananda Murthy	Mechanic	25-9-74	24-9-75
7	Sri N. Nannu Sab	Peon	25-9-74	24-9-75
8	Sri P. H. Hulugappa	Watchman	25-9-74	24-9-75
9	Sri B. Raja Sab	Watchman	25-9-74	24-9-75
10	Smt. Laxmi.	Sweeper-cum-Thoti.	25-9-74	24-9-75

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secretary to Government,

1030 *Social Welfare and Labour Department.*

Social Welfare and Labour Secretariat

Order No. SWL 5 LET 75.

Bangalore, dated 28th February 1975.

S. O. 1010.—In exercise of the powers conferred by sub-section (1) of section 5 of the Indian Boilers Act, 1923 (Central Act 5 of 1923) and in supersession of all previous notifications issued in this behalf, the Government of Karnataka hereby appoints the officers specified in column 3 of the table below to be Inspectors, for the purposes of the said Act, within the limits specified in the corresponding entries in column 3 thereof.

TABLE

Sl. No.	Designation of the officer	Local limits
1.	Deputy Chief Inspector of Boilers.	The area comprising whole of the state of Karnataka.
2.	Senior Inspector of Boilers, Bangalore.	The revenue districts of Bangalore, Tumkur, and Kolar.
3.	Senior Inspector of Boilers, Mangalore.	The revenue districts of South Kanara, Chickmagalur, Hassan, Coorg and North Kanara.
4.	Inspector of Boilers, Mysore.	The revenue districts of Mysore and Mandya.
5.	Inspector of Boilers, Hubli.	The revenue districts of Dharwar and Belgaum.
6.	Inspector of Boilers, Shimoga.	The revenue districts of Shimoga and Chitradurga.
7.	Inspector of Boilers, Gulbarga	The revenue districts of Gulbarga Bidar, Raichur, Bellary and Bijapur.

By Order and in the name of the Governor of Karnataka,

K. Mylarappa,
Under Secretary to Government,
Social Welfare and Labour Department.

HOME SECRETARIAT

Notification, No. H D 7 TMI 75.

Bangalore dated 15th April 1975.

S.O.1011 —WHEREAS a reciprocal agreement has been entered into between States of Karnataka and Tamilnadu in Notification S. O. 694 [H.D. 45 (A) TMI 72] dated 30th April 1973 published in Gazette Extraordinary dated 1st May 1973;

AND WHEREAS it is proposed to enter in to another agreement between the said States with certain modifications to the said agreement;

NOW, THEREFORE, the draft of the reciprocal agreement which the Government of Karnataka proposes to enter into with the Government of Tamilnadu is hereby published as required by sub-section (3A) of Section 63 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), for the information of all persons, associations and authorities who have a right under the said sub-section (3A) to make representations, and notice is hereby given that the agreement will be taken up for consideration by the Commissioner for Home Affairs and Secretary to Government of Karnataka, Home Department, Vidhana Soudha-560001 in his Chambers at 11-30 A.M. on 22nd May 1975.

DRAFT SUPPLEMENTAL AGREEMENT

Whereas it is decided to control the plying of transport vehicles on inter-state routes between the States of Karnataka and Tamilnadu and published *vide* Notification No. HD 45 (A) TMI 72 dated 1st May 1973 S.O. 694) in Part IV-2C-(ii) of the *Karnataka Gazette* (Extraordinary) dated

1st May 1973, it is hereby agreed between the Governments of Karnataka and Tamilnadu as follows:

This agreement is made this April 1975 between the Governor of Karnataka (hereinafter called the Government of Karnataka which expression shall, where the context so admits, include his successors in office) of the one part and the Governor of Tamilnadu (hereinafter called the Government of Tamilnadu which expression shall, where the context so admits include his successors in office) of the other part.

Contract Carriage Services (Omni buses) :—The number of permits for contract carriages (Omni buses) of each of the States of Tamilnadu and Karnataka to be countersigned by the other State in accordance with the proviso to Rule Section (30 of Section 63 of the Motor Vehicles Act, 1939 (Central Act IV of 1939) shall be two. The other clauses of the main agreement will apply to this supplemental agreement.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—Industrial Dispute between the workmen and the management of the Deputy General and Divisional Controller, K.S.R.T.C., Hassan Division, Hassan.

Award of the Presiding Officer, Labour Court, Mangalore, published.

Read the following papers :—

(1) Letter No. A—ID. 28—74-75, dated 7th March 1975 from Shri H. S. Venkatasubbaiah, Presiding Officer, Labour Court, Mangalore.

BEFORE THE LABOUR COURT AT MANGALORE

Dated 7th March 1975

Reference (ID) (LCM) No. 28 of 1973

Present :

Sri H. S. VENKATASUBBAIAH, B.A., LL.B.,

Presiding Officer.

Between

The workmen, represented by the Secretary, M.S.R.T.C. Employees Union, Hassan .. **I Party**

and

The Management of the Deputy General and Divisional Controller, M.S.R.T.C., Hassan Division, Hassan .. **II Party**

Award

The Government of Karnataka, being of the opinion that an industrial dispute exists between the workmen and the management of the Deputy General and Divisional Controller, M.S.R.T.C., Hassan Division, Hassan, have referred the said dispute for adjudication to the Court under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. FCL 218 LLD 73, dated 2nd May 1973. The Points of dispute as specified in the Order of Reference are as follows :—

"I. Are the management of M.S.R.T.C., Hassan, justified in (a)—refusing employment to Sri Gunakar Bahadur, Watchman, Hassan Depot with effect from 25th July 1971 ? (b) terminating the services of Sri T. Chidambaraiah, Conductor, Sakleshpur Depot with effect from 23rd May 1972.

II. If not to what relief the above said workmen are entitled to ? "

2. After the receipt of the reference by this Court, notices were issued to both the parties to file their respective statements. The first party filed its claim statement in respect of the worker Gunakar Bahadur, Watchman on 21st May 1973 and in respect of the worker T. Chidambaraiah, Conductor, on the same day. The second party filed its counter statement in respepct of Gunakar Bahadur on 29th June 1973 and in respect of T. Chidambaraiah on 13th September 1973.

3. The claim of the first party in short is that Sri Gunakar Bahadur was a Gorka Watchman in the Security Section of the M.S.R.T.C., Hassan from 25th July 1965. On 14th May 1971, the Divisional Controller paid a surprise visit to the Depot and found a child 2½ years old, son of Sri Gunakar Bahadur, sleeping in the bed. It was midnight and the child only son of Gunakar Bahadur had just lost his mother, lonely and noone to take care of him. This was objected to by the Divisional Controller and the child was immediately removed out of the Depot premises and a representation written by a third person was made to be signed by the said watchman. A week after he understood that he had signed

his resignation letter. His services were terminated. The Corporation did not issue any charge sheet or conduct an enquiry. He was discharging his duties honestly and sincerely and had not committed any default punishable under law. Hence it was prayed that an order may be passed to reinstate him with back wages.

The claim of the other worker T. Chidambaraiah, Conductor, is that he was on duty on Route Hassan—Virajpet in Vehicle No. MYF 4521 on 20th September 1971. The checking staff stopped the vehicle between Konapur and Hebbale and the Conductor immediately handed over to them the way bill, the tickets book and the cash bag for scrutiny and verification. The number of passengers tallied with the entries made in the way bill and the value of the tickets tallied with the cash in the cash bag. During the above verification, one of the members of checking staff to whom Chidambaraiah could not identify, as they were not in their uniforms, went hastily around the passengers and sized the ticket box and tore off 8 tickets and kept them with himself. The checking staff can write their remarks on the way bill but they cannot tamper with or scribble with the entries made by the conductor. To justify their action of tearing off 8 tickets, inhaste, they converted 40—1 into 48—1 and forgot to scribble the same figure 40—1 in the remarks column. That way bill bearing No. 712015 was also perused by the concilliation officer, Chikmagalur. It is further contended that in the domestic enquiry the worker was not allowed to be helped by his union office bearers and was not given any opportunity to defend himself. It is further contended that the domestic enquiry was hastly conducted and the statement of the witnesses wer not properly recorded. The worker was not given an opportunity to cross-examine the management witnessess. he enquiry is opposed to the principles of natural justice. It is stated that the intention of the checking staff was to victimise Sri Chidambaraiah at any cost as can be seen by their allegation that there were passengers without tickets, travelling from Ramanathapura and Konanur, but their tickets have been checked at the subsequent checking point, i.e., Konanur which is also a sub-station and all the passengers in the bus had tickets with them. It is further stated that Sri Chidambaraiah is one of the senior most conductor and stood a fair chance of promotion as Traffic Controller and had served the Corporation for 10 years. Lastly it was stated

that the order of termination is malicious as it amounts to victimisation, etc. It was prayed that the order of termination be set aside and the conductor reinstated with back wages.

In the counter statement pertaining to Gunakar Bahadur filed by the second party it is contended that the said watchman served the second party from 25th July 1965 to 27th July 1971 till the acceptance of his resignation. It is stated that the then Deputy General Manager and Divisional Controller conducted a surprise check on 14th May 1971 at about 21-00 hours and found the watchman drunk while on duty and had allowed some unconnected and unauthorised persons to sleep in the office premises. The Deputy General Manager and Divisional Controller, asked him to intimate the credentials of the said persons who were sleeping along with him. The first party did not care to give a satisfactory reply. It is contended that the said watchman voluntarily tendered his resignation for domestic reasons. The first party while submitting his resignation cooked up a story that his 2½ year's son was sleeping with him at the time of surprise checking on 14th May 1971. The said allegation is only an after thought. The claim of the first party that he understood that he had signed his resignation has no legal foundation.

The resignation letter was submitted by him on 15th May 1971 and the same was accepted by the competent authority on 20th May 1971. The first party had enough time to withdraw his resignation letter. It is contended that the first party had no right to compel the organisation to hold an enquiry against his misconduct. Lastly it was stated that Gunakar Bahadur is not entitled to reinstatement, etc., as he had voluntarily tendered his resignation.

In the counter statement pertaining to T. Chidambaraiah the second party has stated that he failed to issue tickets to 8 passengers which was checked by the checking staff on 20th September 1971 when he was conducting the vehicle No. MYF 4521 plying in route No. SKP 16 at stage No. 12 (Hebbale). He failed to follow the rule "Issue and Start". This clearly amounts to misconduct and hence a regular enquiry was instituted against the first party. He was given full opportunity to defend himself at the domestic enquiry to meet the charges levelled against him. He fully participated at

the enquiry. It is contended that the enquiry officer had provided all reasonable opportunities to the first party during the enquiry and finally came to the conclusion that the first party is guilty of the charges levelled against him, and the competent authority after considering all the aspects agreed with the finding of the enquiry and therefore a show-cause notice was issued to the first party. The contention, branding the procedure adopted as against the principles of natural justice is vague, and untenable. The allegations made against The Divisional Controller, Hassan by the first party are malicious and mischievious. The Deputy General Manager the competent authority after traversing the entire records, and after applying his mind to the facts circumstances and evidence and further while imposing the punishment on the first party he has acted honestly, impartially without bias. After giving all opportunities the competent authority terminated the service of the first party on 23rd May 1972. Hence it was submitted that the claim of the first party be dismissed.

4. One additional issue was framed on 14th August 1973 as follows :—

"Whether the worker Sri Gunakar Bahadur voluntarily resigned from his job as Watchman under the 2nd party?"

On behalf of the first party the concerned workmen were examined as witnesses W. W. 1 and W. W. 2. On behalf of the second party four witnesses were examined as M.W. 1 to M.W. 4 and exhibits M-1 to M-21 were also got marked by the second party.

5. Now I shall take up the case of Gunakar Bahadur first. Exhibit M-1 is the resignation letter dated 15th May 1971. On that there is an endorsement by the Divisional Security Inspector to the effect that it was forwarded for further necessary action, and that endorsement is dated 18th May 1971. Exhibit M-2 is the order of the then Deputy General Manager and Divisional Controller, Hassan accepting the resignation. It is dated 20th May 1971. Exhibit M-3 is the letter dated 15th June 1971 signed by Gunakar Bahadur WW1. In that letter he has prayed for his reinstatement and has stated to the effect among other things that his superiors treated him in an inhuman way, since he was already desperated due to mental agony

and that he tendered his resignation without thinking of what he was doing and that has been accepted and now he is jobless and that he did not know how and what made him to tender his resignation, etc. Exhibit M-4 is the endorsement given by the Deputy General Manager on the representation dated 15th June 1971 to the effect that since his resignation had already been accepted his request for reinstatement could not be considered. Exhibit M-5 is a copy of his application given by Gunakar Bahadur to the Deputy Labour Commissioner, Hassan. In that he has stated to the effect among other things that he had tendered his resignation because his wife and one child had died at one and the same time and the remaining one child he was keeping with him while on duty and the Divisional Controller had told him that it was not proper for him to work keeping his child along with him and that he should leave the job and the Divisional Controller had told him that he would not be given any relief from the Department and that he was entitled to get the bonus and gratuity and that may be paid to him. He had also asked for his service certificate. The I Party Gunakar Bahadur W.W. 1 admits that he has signed Exhibit M-5 and admits that he has received his Provident Fund. Exhibit M-6 is the reply given by the Deputy General Manager and Divisional Controller, Hassan to the General Manager, M.S.R.T.C. Central Offices, Bangalore in connection with the representation Exhibit M-3 given by Gunakar Bahadur. In that it has written to the effect that M.W. 1 visited the office on the night of 15th May 1971 at about 9 p.m. and Gunakar Bahadur was found drunk while on duty and had allowed some unauthorised persons to sleep in the office premises and that on 15th May 1971 he tendered his resignation which was accepted with effect from 20th May 1971 and that he had enough time to re-consider the issue from 15th May 1971 to 20th May 1971 to withdraw the resignation which he did not do, and that the incumbent is a habitual drunkard.

Gunakar Bahadur, W.W. 1 stated to the effect in his evidence that on the night M. W. 1 visited the Divisional Office. He was doing Watchman's duty and at his post and that he was not sleeping and that his only child aged about 2 years was sleeping in that office and that Hanumegowda who had to relieve him at 2 a.m. was also sleeping in the Divisional Office and none else and that as he had lost his wife about 4 months prior to that night and as no one was

there to look after his child he had brought the child to sleep in the office and that the security officer knowing his difficulties had given consent for the same. It is also in his evidence that he was not drunk on that night. It is his case that on the next morning the Security Officer asked him to sign on a paper and he signed that paper without knowing its contents and that the Security Officer did not tell him what the contents were and that he had given any resignation letter and that he had no intention to resign at any time and he had no other source of income or any property also and that he did not know reading or writing and that he only knew how to sign. When his resignation Exhibit M-1 was shown to him he said that he did not know what had been written in Exhibit M-1 and that on 20th May 1971 when he went to work he was told that he need not come to duty and given an order of accepting his resingation which he could not read.

6. Now the only question is whether the evidence of W.W. 1 first party could be believed. M.W. 1 Major Weslie, on the other hand has stated that he saw some body sleeping in the Divisional Office when he visited the office on 14th May 1971 and that he questioned Gunakar Bahadur and that he did not gave any explanation and on the next day he received Exhibit M-1. He accepted the resignation and passed order as per the original of Exhibit M-2 which was sent to the first party. He has stated that Gunakar Bahadur had given his resignation letter himself and the officer had not forced him or coerced him to give any resignation letter and that the first party was not give any resignation letter and that the first party was not made to sign the resignation letter and that once a resignation is accepted it becomes final. In his cross-examination he has stated that he felt that Gunakar Bahadur was drunk by the smell at that time. He denied the suggestion that he (Gunakar Bahadur) was not drunk on that night. He also states that Gunakar Bahadur did not give him the resignation letter directly in his chambers. He also states that he had not questioned Gunakar Bahadur before he accepted his resignation. He further states that it was not necessary that the resignation be in writing. It is also in his evidence that as he received the resignation letter on 20th May 1971 for orders, he passed orders on that day.

From the evidence on record, it is very clear that Gunakar Bahadur

does not know English reading and writing excepting to sign. It is also very clear from the evidence of Gunakar Bahadur that he had received his Provident Fund and had written a letter as per the original of Exhibit M-5 to the Deputy Labour Commissioner. In the original of Exhibit M-5 he has written to the effect that as at the time when he was on duty and he had kept his child with him and as the Divisional Controller had told him that he should not have kept his child while on duty he resigned. So it is probable from the above letter that Gunakar Bahadur resented the advice given by M.W. 1 when he visited the office on the night of 14th May 1971 and as such he signed the resignation letter. It has not been proved by the first party that he was forced to sign the resignation letter or that the resignation letter was got written by M.W. 1 or by any one at his instance. Even according to the evidence of Gunakar Bahadur W.W. 1, the security officer was on cordial terms with him and that he had no illwill or grudge towards him. So it is highly improbable that the security officers would have taken his resignation on the resignation letter without the contents being told to him. From the evidence on record it is very clear that the first party had signed the resignation letter and had given that letter to the office where he was working and that M.W. 1 who had competence to accept the resignation letter has accepted the same. Therefore, I am of opinion that no case has been made out against the management that the management refused employment to Gunakar Bahadur with effect from 25th July 1971, therefore no relief can be granted to the first party workman Gunakar Bahadur in this case. So the reference in that regard will have to be rejected.

7. So far as the termination of services of T. Chidambaraiah is concerned, at the outset alone it must be said that M.W. 1 Major Weslie, who was working as Divisional Controller and Deputy General Manager, Hassan Division, Hassan from 1970 to June 1972 and who ordered the prosecution of the I Party workman T. Chidambaraiah, had no power to do so under the K.G.R.T.D. Standing Orders. It has been held in a caase reported in 1970 (2) Mys. L.J. 496 Devaraj Urs and Others vs. M.S.R.T.C. and Others that under S.O. VIII of the Standing Orders, the Deputy General Manager, Bangalore Division was invested with the disciplinary powers which was till then vested in the General Managers, and the Divisional Controllers of other Divisions, were not competent to pass an order for enquiry and punish the

subordinates. Disciplinary action has been taken and punishment has been imposed on the first party workman in this case by other than the Deputy General Manager and Divisional Controller of Bangalore Division of the Corporation. It is very clear from the above mentioned decision that our own High Court has taken the view that under the Standing Orders no officer other than the Deputy General Manager or Divisional Controller of the Corporation was entitled to take disciplinary action against employees of the Corporation and to punish them in such proceedings. So, admittedly in this case T. Chidambaraiah W.W. 2 was a conductor working in Sakleshpur Depot and the officer who took action against him was the Deputy General Manager and Divisional Controller, Hassan Division and not the Deputy General Manager or Divisional Controller of Bangalore Division. Therefore the disciplinary proceedings in this case against the first party workman T. Chidambaraiah is not in accordance with the Standing Orders and as such the proceedings are illegal. On that ground alone, the termination of service of T. Chidambaraiah has to be set aside.

8. Now, coming to the merits of the case. M.W. 1 Major Weslie, who was working then as Deputy General Manager and Divisional Controller K.S.R.T.C. Hassan Division, on the report from the Checking Inspectors as per Exhibit M-7 appointed M.W. 2 Joshi, as enquiry officer and Exhibit M-11 was issued by the enquiry officer and that the enquiry officer submitted his findings after holding the enquiry and after considering the report and other papers he accepted the findings and found the first party workman guilty and proposed to terminate his services and issued a show cause notice as per Exhibit M-17 and after considering the explanation given by the first party workman to Exhibit M-17 and after giving a personal hearing as per Exhibit M-19 he passed the order as per Exhibit M-20 terminating his services.

9. Now it is very clear from the papers placed before this court that it was not M.W. 1 who framed the charges against the first party workman. It was M.W. 2 Enquiry Officer, Joshi who framed the charges. All that the M.W. 1 has written on Exhibit M-7 is "charge sheet him ATS (d) appointed EO 27th September 1971 Exhibit M-11 is the charge-sheet. The charges read as follows :—

"That on 20th September 1971 while you were on duty in the Vehicle No. MYF 4521 plying on the route SKF-16 and when checked by the L/c Staff at stage No. 12 (Hebbale) at about 17.30 hours, you had failed to issue tickets to 8 passengers as detailed below :—

(a) 4 adults from Ramanathapura to Hebbale fare per head Rs. 0.70 (collected).

(b) 2 adults from Konanur to Kudige fare per head Rs. 0.80 (collected).

(c) 1 adult from Siddapura to Kushalnagar fare per head Re. 1 (collected).

(d) 1 adult from Sirangala to Kanive fare per head Rs. 0.50 (not collected).

II. That you had failed to follow the rule 'issue and start'

In that charge sheet it has been stated to the first party workman as follows : "You are hereby directed to explain as to why suitable disciplinary action should not be taken against you on the charges mentioned above." It is an admitted fact that the first party workman T. Chidambaraiah had given an explanation as per Exhibit M-12 on 30th October 1971. Charge sheet was issued on 22nd October 1971. There is no evidence adduced on behalf of the management that the explanation given by T. Chidambaraiah was considered before further proceedings was directed against him. On the other hand, it is clear from the charge sheet Exhibit M-11 that the management had already made up its mind to hold an enquiry and that the explanation was called for in a very formal way without any meaning. This should not have been the attitude of the disciplinary authority. The disciplinary authority in this case was the Deputy General Manager and Divisional Controller, Hassan. He should have considered the explanation given by T. Chidambaraiah and he should have made up his mind as to whether disciplinary action should be taken as per Exhibit M-11. When that has not been done, I am of opinion that it is a serious illegality committed by the disciplinary authority and also by the Enquiry Officer in conducting the enquiry. The charge sheet makes it very clear that the enquiry officer himself took the roll of disciplinary authority as he called upon the first party workman to give

his explanation as to why suitable disciplinary action should not be taken against him. It appears to me from the evidence that he too did not consider the explanation given by T. Chidambaraiah W.W. 2. So it appears to me that the management had already made up its mind to hold the enquiry even though it had called for an explanation of the first party workman as to why suitable action should not be taken against him. Such an empty formality should not be done by the management. If the management did not want to call for an explanation it should not have given any notice to the first party calling for explanation. It should have straightaway taken disciplinary action such as holding the enquiry. But when it has called for the explanation of the first party workman and when it has not considered the explanation I feel that it is a serious irregularity committed by the disciplinary authority.

10. The management relies on the evidence given before the enquiry officer alternatively. In addition to that it has also relied upon the evidence addused by it before this court. So for as the evidence before the enquiry officer is concerned, it is clear that only one witness Hanumegowda, A.T.I. attached to the Line Checking Squad, was examined and on his evidence the enquiry officer has found the workman guilty. According to the chargesheet there were 48 passengers in the vehicle in which Chidambaraiah was the conductor and that for 8 passengers who were travelling from the places mentioned in the chargesheet he had not issued tickets. It is the case of the management that 48 passengers were travelling in the bus while it is the case of first party that only 40 passengers were in the bus and that he had issued tickets to all the 40 passengers. He has denied that there were 48 passengers in the bus and he has also denied that he had not issued tickets to 8 passengers. It is an admitted fact that on 20th September 1971 two checking staff had checked the bus at the outskirts of Hebbale on the way between Hassan—Virajpet route. Even before the enquiry officer the first party workmen had denied the charge against him. With regard to the recording of the statement of the alleged passengers who were without tickets the first party had stated before the enquiry officer that about 100 College and School children and students had gathered around the bus and the checking jeep and he could not go through the contents of the ticketless passengers' statement recorded by the checking official but however he had attested it. He had further stated that the

checking officials had overwritten the figure 40 by altering it to 48 since they had confiscated the 8 tickets. After the first party was examined and after he was cross-examined by Hanumegowda, the enquiry officer himself has cross-examined the first party. In his findings the enquiry officer has found him guilty of both the charges. Of course he has merely relied on the evidence given by Hanumegowda and also taken into consideration the statement given by the workman before him in coming to that conclusion. But in my view it must be held that he was biased enquiry officer because he himself had issued the charge-sheet and he himself had called for the explanation of the first party workman as to why disciplinary action should not be taken against him and he has himself conducted the enquiry without considering the explanation called for. No doubt the materials placed before him would have been sufficient for him to come to the conclusion that the first party workman was guilty of the charges. But in my view his findings and the whole enquiry held by him are biased ones and no reliance can be placed on his enquiry.

11. It has been held in 1968 (2) LLJ. 274 Shardul Singh vs. State of Madhya Pradesh and others that in the absence of statutory provision permitting expressly or impliedly the deligation of disciplinary powers, the disciplinary authority must himself frame charges and hold an enquiry into them or direct another to hold the enquiry on those charges. An authority other than the disciplinary authority has clearly no powers to frame, on its own initiative, charges against a civil servant and hold enquiry." See also 1969 (2) LLJ. 493 Manihar Singh vs. Superintendent of Police, United Khasi-Jaintia Hills, Shillong and others. From the principles aid down in the above decisions it is clear that the disciplinary authority itself has to frame the charges and it has not framed in this case. On the other hand this deligation of its powers to the enquiry officer appears to me to be bad. So far the evidence before this court was concerned, the management relies on the evidence of two witnesses namely MW3 and MW4. It is not disputed that these two persons were the checking staff on the relevant day and that the first party was the conductor of that bus at that time. Their evidence that they checked the bus at stage No. 12 near Hebbale village and that they found 48 adults and one child in the bus at that time and that for 8 adults tickets had not been issued and that entries had been made in pencil in the way bill by the first party in the column root.

MW3 admits that he had written 40+8 and below that 40/1+8 and that he had done it so as the first writing was not clear in the way bill. MW3 admits in his evidence to the effect that to verify whether the statement of ickeless passengers "We did not check up the cash which was with the I Party workman". Of course it was stated that they were not expected to check the cash on-route. It is also in his evidence that after the checking was over an offence memo was issued to the I Party as per Ex. M-9 and he has signed it at Ex. M-9(a). It is also in his evidence that the statement of passengers as per Ex. M-10 in the proforma of the ticketless passengers had been taken with their signatures and it is also signed by the first party. According to the evidence of MW4 Manjunatha Pai, the checking of cash was not made as the checking staff thought that the statement of passengers to the effect that they had already paid the fare was gospel truth. It is stated that the conductors will have so much cash only for which he had issued tickets or collected from the passengers. So it is very clear from the evidence of MW4 that if the cash had been checked up they could have found outwhether the money tallied with the tickets issued or not and whether the conductor had collected amounts from the alleged 8 passengers who were said to have been found not issued tickets or not. They have not done so. It is also inevidence that there were traffic controllers at certain points in a road like Arkadgud, Konanur, Kushalnagar, Mercara and other places etc. Soon as a bus arrives at the bus stand the traffic controller check up the number of passengers in the bus and also checks the number of tickets of various denominations issued at the stand and puts the same in the way bill.

12. The first party workman in his evidence has stated that at the time when the bus was checked by MW3 and MW4 there were only 40 passengers and not 48 passengers and that he had issued tickets to all the 40 passengers and that the same had been noted in the way bill and that MW3 and MW4 have stated that there were 48 passengers and tore off 8 tickets and took those tickets. He has stated that the persons mentioned in Ex. M-10 as passengers were not in the bus and Ex. M-10 was not filled up when he signed Ex. M-10 (a) and that MW3 and MW4 counted the cash in his cash bag and also his person but there was no excess amount. He states that a false case has been filed against him by MW3 and MW4, who were not on condial terms with him. But that has not been substantiated by the first party work-

man. Yet in my view the evidence of MW3 and MW4 also is not sufficient to hold that there were 48 passengers in the bus. As the first party workman has totally denied that there were 48 passsengers in the bus from the very beginning. The names of the alleged 8 passengers who had not been issued tickets in Ex. M-10 the addresses of some of them had been taken in Ex. M-10. It was easy for the management to have examined some of them at least one or two to prove that they were in the bus and that they had not been issued the tickets. But the management had not taken steps to examine any of those passengers. It was not the case of the management that it was difficult for them to procure their attendance or that they had turned hostile.

13. In the above circumstances, I am of the opinion that an adverse inference has to be drawn against the management, that if some of the alleged passengers were examined the evidence would not have been in favour of the management. In my view the evidence of MW3 and MW4 is not sufficient to hold that there were 48 passengers in the bus and that 8 passengers had not been issued tickets by the first party and that the first party had received the fares from them. No doubt the first party workman had signed Ex. M-10 but on that account alone it cannot be held that the statement written in Ex. M-10 is correct in the absence of examination of the alleged passengers.

14. For all the reasons stated by above, I am of opinion that the management has failed to establish its charge against Sri Chidambaraiah. Hence I am of the opinion that the termination of the service of T. Chidambaraiah by the management with effect from 23rd May 1972 is not valid and has to be set aside and that he is entitled to reinstatement with back wages.

15. In the result, I pass an award holding (1) that the management of M.S.R.T.C., Hassan, is justified in (a) refusing employment to Sri Gunakar Bahadur, Watchman, Hassan Depot with effect from 25th July 1971 and that the said worker is not entitled to any relief, and (b) that the said management is not justified in terminating the services of Sri T. Chidambaraiah, Conductor Sakleshpur Depot with effect from 23rd May 1972 and that the said worker shall be reinstated in service with all the back wages from the date of termination. He

shall be reinstated within one month from the date of publication of this award in the official Gazette. Parties to bear their own costs.

H. S. VENKATASUBBAIAH,

Mangalore, Presiding Officer,

Dated : 7th March 1975. Labour Court, Mangalore.

TRUE COPY"

H. S. VENKATASUBBAIAH,
Presiding Officer,
Labour Court, Mangalore.

Order No. SWL 78 LLA 75, Bangalore, dated the 31st March 1978

S. O. 1012.—

Whereas by State Government Order No. FCL 218 LLD 73, dated 2nd May 1973, the Industrial Dispute between the workmen and the management of the Deputy General and Divisional Controller, K.S.R.T.C., Hassan Division, Hassan, was referred to the Labour Court, Mangalore, for adjudication.

And, whereas the Labour Court, Mangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, therefore, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka. are pleased to direct the publication of the said award as above. in the **Karnataka Gazette.**

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

Printed by the Director of Printing, Sty. & Publications at the Govt. Press. Blore.

PART IV

Section 2-C (ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

PLANNING SECRETARIAT

Notification No. FD 46 CAX 73.

Bangalore, dated 16th December 1974.

S. O. 1025.—In exercise of the powers conferred by clause (g) of Section 12 of K.A.I.T. Act, 1957, Government of Karnataka approve the "Aruna Junior College of Hermbane, Coorg" for the purposes of the said clause.

By Order and in the name of the Governor of Karnataka,

T. M. VASUDEVAN,
Under Secretary to Government,
1698 *Finance Department.*

Notification No. FD. 465 CSL 72.

Bangalore dated 3rd April 1975.

S. O. 1026:—In exercise of the powers conferred by Section 8-A of the Karnataka Sales Tax Act 1957 (Karnataka Act No. 25 of 1957), the Government of Karnataka hereby exempts with effect from 1st April 1970 tax payable under Section 6 in respect of purchase of art silk yarn for use in the manufacture of art silk cloth by dealers owning not more than four power looms.

By Order and in the name of the Governor of Karnataka,

T. M. VASUDEVAN,
Under Secretary to Government,
84 *Finance Department.*

GENERAL ADMINISTRATION SECRETARIAT

Notification No. GAD 113 GAM 74.

Bangalore dated 15th March 1975.

S. O. 1027—In exercise of the powers conferred by clause 3) of Article 166 of the Constitution of India and Rule 5 of the Karnataka Government Rules of Business, 1964, the Governor of Karnataka on the advice of the Chief Minister, hereby makes the following amendments to Notification No. GAD 100 GAM 74 dated 28th October 1974, relating to the allotment of Business of Government among the Ministers and Ministers of State, namely:—

In the said Notification under the heading 'Cabinet Ministers'—

(1) in the entries relating to Sri S. M. Krishna, Minister for Industries and Parliamentary Affairs, in item (i) for the words" Civil Supplies" the words "distribution of cement" shall be substituted; and

(2) in the entries relatidg to Smt. E. E. Vaz, Minister for Food and "Civil Supplies, in item (ii) for the words "Civil Supplies" the words "Distirbution of cement shall be substituted.

By Order and in the name of the Governor of Karnataka,

N. A. MUTHANNA,
Deputy Secretary to Government,
2400 *G. A. D. (Political).*

Corrigendum No. GAD 88 SGO 75.

Bangalore dated 18th March 1975.

S.O. 1028. In the Notification of even number dated 6th March 1975 for the words "Karnataka Administrative Service" the words "Municipal Administrative Service" shall be substituted.

By Order and in the name of the Governor of Karnataka,

H. P. DHARANENDRANATH,
Under Secretary to Government,
2399 *General Administration Department (Services).*

FOOD AND FOREST SECRETARIAT

Order No. FFD 301 FCS 74.

Bangalore, dated 20th January 1975.

S.O.1029.—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Karnataka Sugar Dealers Licensing Order, 1962, and in supersession of all the previous orders on the subject, the Government of Karnataka, hereby appoints the officers specified in Column 2 of the table below to exercise the powers and perform the duties of a Licensing authority under the said order within the areas specified in the corresponding entries in Column 3 of the said table.

TABLE

Sl. No.	Officer	Area
1	2	3
1.	The Joint Director of Food and Civil Supplies (Informal Rationing), Bangalore.	Area comprised within the limits of the City of Bangalore Municipal Corporation.
2.	The Deputy Commissioners of Districts other than Bangalore District.	Area comprised within the limits of Districts under their respective jurisdiction.
3.	The Deputy Commissioner, Bangalore District, Bangalore.	The Bangalore District excluding the area comprised within the limits of the City of Bangalore Municipal Corporation.
4.	The Range Officer, North Range Bangalore City Food and Civil Supplies Department.	City of Bangalore Municipal Corporation Divisions 1 2, 3, 4, 5, 6 7, 8, 9, 10, 11, 12, 21, 45, 46 (15 Divisions).

1	2	3
	5. The Range Officer, South Range, Bangalore City Food and Civil Supplies Department.	City of Bangalore Municipal Corporation Divisions 19, 20, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37. (16 Divisions).
	6. The Range Officer, East Range, Bangalore City, Food and Civil Supplies Department.	City of Bangalore Municipal Corporation Divisions 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63 (17 Divisions).
	7. The Range Officer, Central Range, Bangalore City Food and Civil Supplies Department.	City of Bangalore Municipal Corporation Divisions 13, 14, 15, 16, 17, 18, 22, 27, 38, 39, 40, 41, 42, 43, 44 (15 Divisions).

By Order and in the name of the Governor of Karnataka,

M. D. GOVINDARAJ,
Under Secretary to Government,
Food and Forest Department.

1930

HOME SECRETARIAT

Notification No. HD 38 TMA 75.

Bangalore, dated 14th February 1975.

S. O.1030.—In exercise of the powers conferred by the second proviso to sub-rule 1) of rule 201 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka being satisfied that the motor vehicle belonging to M/s. Prakash Road Lines Private Limited, Bangalore-2 mentioned in the schedule below having an overall length of 29' can be used in public place without any danger to the public safety, hereby exempts the said vehicle from the provisions of clause (ii) of the said sub-rule for the purpose of plying it in the State, subject to the following condition :—

1. The vehicle should be plied only on main roads declared by the District Magistrate.

2. The vehicle should ply without endangering the public safety and public property.

SCHEDULE

Tata Goods Vehicle.

Length	29'
Chassis No.	314 050 47 19988
Engine No.	692 D02 4720579.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

2188

HOME SECRETARIAT

Notification No. HD 124 PRM 68.

Bangalore, dated 18th November 1974.

S. O.1031.—In exercise of the powers conferred by Section 55 of the Karnataka Prisons Act, 1963 (Karnataka Act 33 of 1963), the Government of Karnataka hereby delegates its powers under the said section 55 to the Inspector General of Prisons in Karnataka.

By Order and in the name of the Governor of Karnataka,

K. S. L. SASTRY,
Under Secretary to Government,
1501 *Home Department.*

Notification No. HD 70 PCR 74.

Bangalore dated 27th September 1974.

S. O.1032.—In exercise of the powers conferred by sub-section (1) of Section 20 of the Code of Criminal Procedure 1973 (Central Act 2 of 1974) the Government of Karnataka hereby appoints Sri V. V. K. Gore, I. A .S., Probationer as Executive Magistrate in Shimoga-A sub-division for the period from 18th October 1974 to 12th December 1974.

By Order and in the name of the Governor of Karnataka,

K.S.L. SASTRY,
Under Secretary to Government,
1108 *Home Department.*

HOME SECRETARIAT

Notification No. HD 198 TMA 74.

Bangalore, dated 15th November 1974.

S. O 1033 —In exercise of the powers conferred by Rule 341 of the Karnataka Motor Vehicle Rules, 1963 the Government of Karnataka having been satisfied that the two Motor Trucks MYF 3574 and AAT 3146, belonging to M/s. Dilip Transport Agency, Kalasipalyam New Extension, Bangalore, used for transportation of Skirt Rings of sizes 11 feet 10 inches from Visakapatnam to Bangalore, hereby exempts the said Vehicles from the provision of rule 331 of the said rules subject to the following conditions:

1. The speed of the vehicles concerned should not exceed 40 Kms. per hour.
2. Red flugs should be exhibited during day time and red light during night time at either extremeties of the lateral projection of the load.
3. The owner of the vehicle is solely responsible for any damages caused to any other public property.
4. The owner should take all due precautions to avoid danger to the public and other vehicles while these vehicles are being driven.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
1539 *Home Department.*

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 102 LAG 74.

Bangalore, dated the 14th March 1975.

S. O. 1034 —The Government of Karnataka hereby appoints Shri L. N. Channabasavaradhya as Assistant Goverement Pleader, Ramanagaram for a period of two years with effect from 23rd November 1974.

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government,
2439 *Department of Law and Parly. Affairs.*

SOCIAL WELFARE AND LABOUR SECRETARIAT

Notification No. SWL 11 LFB 1975.

Bangalore, dated 18th February 1975.

S. O. 1035.—WHEREAS there is public emergency.

Now, THEREFORE in exercise of the powers conferred by Section 5 of the Factories Act 1949 (Central Act, 63 of 1949), the Government of Karnataka hereby exempts the Controllerate of Inspection Electronics, Bangalore, from the provisions of Sections 51, 52, 53, 54, 56, and 79 of the said Act for a period of three months from 24th January 1975 subject to the conditions that :—

1. The workers who may be deprived of the weekly holidays may be given compensatory holidays in lieu of all such weekly holidays which may not be allowed to them, as far as possible ;

2. Leave may be refused where necessary in the exigencies of service, except in case of illness and to provide for accumulation of leave without limit so that the workers do not lose the benefit of leave refused.

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
2199 *Social Welfare and Labour Department.*

SOCIAL WELFARE AND LABOUR SECRETARIAT

Notification No. SWL 12 LSC 74

Bangalore dated 6th November 1974

S. O 1036.—In exercise of the powers conferred by sub-section (1) of section 26 of the Karnataka Shops and Commercial Establishments Act, 1961, (Karnataka Act 8 of 1962). Government of Karnataka hereby amends Notification No. S. O. 546 (FCL 25 LSC 69) dated 25th February 1970 as follows, namely :—

In the table to the said Notification :—

(1) for the entries in columns 2 and 3 of the entries in serial No. 4, the following entries shall be substituted, namely :—

"Senior Labour Inspector Puttur Circle.	Puttur, Bantawal, Belthangadi and Sulia Panchayath area"

(2) for the entries in serial numbers 10, 11, 12, 13, and 14, the following entries shall respectively, be substituted, namely :—

"10	Senior Labour Inspector Chickmagalur I Circle, Chickmagalur	Municipal Divisions No. I and II of Chickmagalur Town"
"11	Senior Labour Inspector Chickmagalur II Circle, Chickmagalur.	Municipal Divisions No. III IV and V of Chickmagalur Town".
"12	Senior Labour Inspector Tarikere Circle, Tarikere.	Tarikere, Kadur, Birur and Ajjampur"
"13	Senior Labour Inspector Mudigere Circle, Mudigere.	"Mudigere Town"
"14	Senior Labour Inspector Koppa Circle, Koppa.	Koppa, Narasimharajapura and Sringeri Towns".

(3) for the entries in serial Numbers 15, 16, and 18 the following entries shall be substituted, namely :—

"15	Senior Labour Inspector Hassan Circle, Hassan.	Hassan and Alur Towns"
"16	Senior Labour Inspector, Sakleshpur Circle, Sakleshpur.	Sakleshpur Town"
"18	Senior Labour Inspector Arasikere Circle, Arasikere.	"Arasikere and Belur Town"

(4) for the entries in serial numbers 19, 20, 21, the following entries shall respectively be substituted, namely :—

"19	Senior Labour Inspector Mercara Circle, Mercara.	Mercara Town"
"20	Senior Labour Inspector, Somwarpet Circle, Somwarpet.	Somwarpet Kushalnagar, and Suntikoppa Towns".
"21	Senior Labour Inspector Virajpet Circle, Virajpet.	Virajpet, Gonikoppa, and Siddapur Towns".

(5) for the entries in serial number 25, the following entries shall be substituted namely :—

"25	Senior Labour Inspector, Chamarajanagar Circle Chamarajanagar.	Kollegal, T. Narasipur, Chamarajanagar, Yelandur, Gundlupet, Alur and Hannur Towns."

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secretary to Government,

1398 *Social Welfare and Labour Department.*

SOCIAL WELFARE AND LABOUR SECRETARIAT

Notification. No. SWL 4 LET 75.

Bangalore, dated 18th February 1975.

S.O.1037.—In exercise of the powers conferred by sub-sections (1). (5) and (6) of Section 8 of the Factories Act. 1948 (Central Act No. 63 of 1948) and in super-session of the Notification No. S.O. 1417 (FCL 2 LFB 70 dated 23rd July 1971) and all other Notifications on the subject the Government of Karnataka hereby appoints :—

(i) the persons whose designation is specified in Column (2) of the Table below, to be Inspectors under the said Act ;

(ii) the public officers whose designation is specified in Column (3) of the said Tab e to be additional Inspectors and assignst o each Inspector and Additional Inspectors the local limits specified in the corresponding entry in column (4) of the said Table ; and declares.—

(i) that each Inspector and Additional Inspector shall respectively exercise the powers specified in Column (5) of the said Table ;

(ii) the Inspector specified in Column (6) as the Inspector to whom the prescribed Notices are to be sent.

TABLE

Sl. No.	Persons appointed as Inspectors	Public Officers appointed as additional Inspectors	Area comprised within the local limits assigned to each Inspector and Additional Inspector	Powers which each Inspector and Additional Inspector shall respectively exercise	Inspector to whom the prescribed notices are to be sent.
1	2	3	4	5	6
1	Inspector of Factories Bangalore North Division, Bangalore	Assistant Labour Commissioner, Bangalore-I Division, Bangalore.	Areas comprised within Division numbers 1, 2, 4, 5, 6, 7 of City of Bangalore Municipal Corporation and areas within Bangalore North Taluk other than those areas comprised within the city of Bangalore Municipal Corporation and areas within the Taluk of Nelamangala and Tumkur District.	Inspector: All powers under Section (9) (a) and 9 (b) and Rule 14 (1) (a) and 14 (1) (c) of Karnataka Factories Rules, 1969. Additional Inspector:- Powers of Inspection under Section 9 (a) and 9 (b) and Rule 14 (1) (a) of Karnataka Factories Rules, 1969. in respect of matters specified in the Annexure to this table.	Inspector of factories, Bangalore North Division, Bangalore.
2	Inspector of Factories, Bangalore East Division, Bangalore	Labour Officer, Bangalore II Division, Bangalore.	Areas comprised within division numbers 46 to 50 and 52 to 59 of the City of Bangalore Municipal Corporation and areas within Bangalore South Taluk	Inspector :-All Powers under Section 9 (a) and 9 (b) and Rule 14 (1) (a) and 14 (1) (c) of Karnataka Factories Rules, 1969.	

		(North of old Madras Road), Doddaballapur Taluk, Hoskote Taluk, Devanahalli Taluk, and Kolar District.	Additional Inspector :- Powers of Inspection under Section 9 (a) and 9 (b) and Rule 14 (1) (a) of Karnataka Factories Rules, 1969, in respect of matters specified in the Annexure to this table.	
3 Inspector of Factories, Bangalore Central Division, Bangalore	Labour Officer, Bangalore II Division, Bangalore.	Areas comprised within Division numbers 8, 9, 13, to 8, 27, 37 to 45 and 60 of City of Bangalore, Municipal Corporation.	Inspector :-All powers under Section 9 (a) and 9 (b) and Rule 14 (1) (a) and 14 (1) (c) of Karnataka Factories Rules, 1969. Additional Inspector :- Powers of Inspection under Section 9 (a) and 9 (b) and Rule 14 (1) (a) of Karnataka Factories Rules, 1969, in respect of matters specified in the Annexure to this table.	Inspector of Factories, Bangalore Central Division, Bangalore.
4 Inspector of Factories, Bangalore South Division, Bangalore	Assistant Labour Commissioner, Bangalore II Division, Bangalore.	Area comprised within division numbers, 25, 26, 28, to 36, 51, 61, to 63 of City of Bangalore Municipal Corporation and areas within Bangalore South Taluk, (South of Old Madras Road excluding Kengeri, Hobli), Kanakapura Taluk and Anekal Taluk.	Inspector :-All powers under Section 9 (a) and 9 (b) and Rule 14 (1) (a) and 14 (1) (c) of Karnataka Factories Rules, 1969. Additional Inspector :- Powers of Inspection under Section 9 (a) and 9 (b) and Rule 14 (1) (a) of Karnataka Factories Rules, 1969 in respect of matters specified in the Annexure to this table.	Inspector of Factories, Bangalore, South Division, Bangalore.

1	2	3	4	5	6
5	Inspector of Factories Bangalore West Division, Bangalore.	Assistant Labour Commissioner, Bangalore II Division, Bangalore.	Areas comprised with division numbers 3, 10 to 12, 19 to 24 of the City of Bangalore Municipal Corporation and areas within Kengeri Hobli, Ramanagaram Taluk, Channapatna Taluk and Magadi Taluk.	Inspector: All powers under section 9(a) and 9(b and Rule 14(1) (a) and 14 1) (c) of Karnataka Factories Rules, 1969. Additional Inspector: powers of inspection under Section 9(a) and 9(b) and Rule 14(1) (a) of Karnataka Factories Rules, 1969 in respect of matters specified in the Annexure to this table.	Inspector of factories, Bangalore West Division, Bangalore.
6	Inspector of Factories, Mysore Division, Mysore		Inspector: Area comprised within districts of Mysore and Mandya.	Inspector: All powers under Section 9(a) and 9(b) and Rules 14(1) (a) and 14(1) (c) of Karnataka Factories Rules, 1969.	Inspector of Factories, Mysore Division, Mysore.
		(a) Assistant Labour Commissioner, Mysore Division, Mysore. (b) Labour Officer, Mysore Division, Mysore.	Additional Inspectors: (a) Area comprised within the district of Mysore. (b) Area comprised within the district of Mandya.	Additional Inspectors: Powers of inspection under Section 9(a) and 9 (b) and Rule 14 (1) (a) of Karnataka Factories Rules, 1969 in respect of matters specified in the Annexure to this table.	

7 Inspector of Factories, Shimoga Division, Shimoga.		Inspector: Area comprised within district of Shimoga, Chickmagalur and North Kanara.	Inspector: All powers under Section 9(a) and 9(b) and Rules 14(1) (a) and 14(1) (c) of Karnataka Factories Rules, 1969.	Inspector of Factories, Shimoga Division, Shimoga.
	(a) Labour Officer, Chickmagalur sub-division, Chickmagalur.	Additional Inspectors: (a) Area comprised within the district of Chickmagalur.	Additional Inspectors: Powers of inspection under Section 9(a) and 9(b) and Rule 14(1) (a) of Karnataka Factories Rules, 1969 in respect of matters specified in the Annexure to this table.	
	(b) Labour Officer, Shimoga Subdivision, Shimoga.	(b) Area comprised within the district of Shimoga.		
	(c) Labour Officer Hubli sub-division, Hubli.	(c) Area comprised within the district of Dharwar.		
8 Inspector of Factories, Belgaum Division, Belgaum.	Labour Officer, Belgaum Subdivision, Belgaum	Area comprised within the district of Belgaum.	Inspector: All powers under Section 9(a) and 9(b) and Rule 14(1) (a) and 14 (1) (c) of Karnataka Factories Rules, 1969. Additional Inspector: Powers of Inspection under Section 9(a) and 9(b) and Rule 14(1) (a) of Karnataka Factories Rules, 1969 in respect of matters specified in the Annexure to this table.	Inspector of factories, Belgaum Division Belgaum.

1	2	3	4	5	6
9	Inspector of Factories, Hubli Division, Hubli.	Assistant Labour Commissioner, Hubli.	Area comprised within the district of Dharwar.	Inspector: All powers under Section 9(a) and 9(b) and Rule 14(1)(a) and 14 (1) (c) of Karnataka Factories Rules, 1969. Additional Inspector: Power of inspection under Section 9(a) and 9(b) and Rule 14(1) (a) of Karnataka Factories Rules, 1969 in respect of matters specified in the Annexure to this table.	Inspector of Factories, Hubli Division, Hubli.
10	Inspector of Factories, Gulbarga Division, Gulbarga.		Area comprised within the district of Gulbarga Bidar and Bijapur.	Inspector :-All powers under Section 9 (a) and 9 (b) and Rule 14 (1)(a)and 13 (1)-(c) of Karnataka Factories Rules, 1969.	Inspector of Factories, Gulbarga Division, Gulbarga.
		(a) Assistant Labour Commissioner, Gulbarga Division, Gulbarga.	Area comprised within the district of Gulbara.	Additional Inspectors :- Powers of inspection under Section 9 (a) and 9 (b and Rule 14 (1) (a) of Karnataka Factories Rule, 1969 in respect of matters specified in the Annexure to this table.	
		(b) Labour Officer, Gulbarga Subdivision, Gulbarga.	Area comprised within the district of Bidar.		

11 Inspector of Factories, Bellary Division, Bellary.		Inspector :-Area comprised within the districts of Bellary and Chitradurga	Inspector :-All powers under Section 9 (a) and 9 (b) and Rule 14 (1) (a) and 14 ( )(c) of Karnataka Factories Rules, 1969.	Inspector of Factories, Bellary Division, Bellary.
	Labour Officer Bellary Sub-division Davangere.	Additional Inspector :-Area comprised within the districts of Bellary and Chitradurga.	Additional Inspector :-Powers of inspection under Section 9 (a) and 9 (b) and Rule 14 (1) (a) of Karnataka Factories Rules, 1969 in respect of matters specified in the Annexure to this table.	
12 Inspector of Factories, Raichur Division, Raichur.		Inspector :-Area comprised within the district of Raichur.	Inspector :-All powers under section 9 (a) and 9 (b) and Rule 14 (1) (a) and 14 (1) ( ) of Karnataka Factories Rules, 1969.	Inspector of Factories, Raichur Division, Raichur
	Labour Officer, Raichur Subdivision. Raichur.	Additional Inspector :-Area comprised within the district of Raichur.	Additional Inspector :-Powers of inspection under Section 9 (a) and 9 (b) and Rule 4 (1) (a) of Karnataka Factories Rules, 1969 in respect of matters specified in the Annexure to this table.	

2	3	4	5	6
13 Inspector of Factories, Mangalore North Division, Mangalore.		Inspector :—Area comprised within the Municipal ward numbers 1 to 7 and 14, 15, of Mangalore municipality and areas within the taluks of Udupi, Coondapur and Karkala and Northern portion of Mangalore Taluk consisting of Kulshekha, Ganjimutt, Nedumarga Haipe, Yeyyadi, Kavoor, Kulur, Paramburand Hallangadi of South Kanara District and the area comprising within the district of Hassan.	Inspector :—All powers under section 9 (a) and 9 (b) and Rule 14 (1) a) and 14 (1) (c) of Karnataka Factories Rules, 1969.	Inspector of Factories, Mangalore North Division, Mangalore.
	(a) Assistant Labour Commissioner Mangalore (b) Labour Officer, Hassan.	Additional Inspectors :— (a) Area comprised within the areas specified above. (b) Area comprised within the district of Hassan.	Additional Inspectors :—Powers of Inspection under Section 9 (a) and 9 (b) and Rule 14 (1) a) of Karnataka Factories Rules 1969, in respect of matters specified in the Annexure to this table.	
14 Inspector of Factories, Mangalore South Division, Mangalore.		Inspector :—Area Comprised within the Municipal ward numbers 8 to 13 and 16 to 25 of Mangalore City Municipality and areas within the taluks of	Inspector :—All powers under Section 9 a) and (b) and Rule 14(1) (a) and 14 (1) (c) of Karnataka Factories Rules, 1969.	Inspector of Factories, Mangalore South Division Mangalore.

		Bartwal, Puttur and Sullya and Southern portion of Mangalore Taluk consisting of Ullal, Kotekar Pranampur and Pandil of South Kanara District and areas within the district of Coorg. Additional Inspector :—	
	(a) Assistant Labour Commissioner, Mangalore. (b) Labour Officer, Coorg Sub-division, Coorg.	(a) Areas comprised within the above municipal wards. (b) Areas comprised within the district of Coorg.	Additional Inspectors:— Powers of inspection under Section 9 a and 9(b) and Rule 14(1) (a) of Karnataka Factories Rules, 1969 in respect of matters specified in the Annexure to this table.
15 Senior Inspector of Factories, Hubli	Deputy Labour Commissioner, Belgaum.	Area comprised within the districts of Dharwar, North Kanara, Shimoga, Chickmagalur, Chitradurga, Bellary, Raichur, Gulbarga, Bidar, Bijapur and Belgaum.	Inspector :—All powers under Section 9(a) and 9(b) and Rule 14(1 (a) and 14(1) (c) of Karnataka Factories Rules, 1969. Additional Inspector :— Powers of inspection under Section 9 a) and (9 (b) and Rule 14 (1) ( ) of Karnataka Factories Rules, 1969 in respect of matters specified in the Annexure to this table.

1	2	3	4	5	6
16	Senior Inspector of Factories, Bangalore		Area comprised within the districts of Bangalore, Mandya, Mysore, Coorg, South Kanara, Hassan, Tumkur and Kolar.	Inspector: All powers under section 9(a) and 9(b) and Rule 14(1), (3) and (14) (1) (c) of Karnataka Factories Rules, 1969	
		(a) Deputy Labour Commissioner, Bangalore.	(a) District of Bangalore Mandya, Mysore and Tumkur and Kolar.	Additional Inspectors: Powers of inspection under Section 9(a) and 9(b) and Rule 14 (1)(a) of Karnataka Factories Rules, 1969 in respect of matters specified in the Annexure to this table,	
		(b) Deputy Labour Commissioner, Hassan.	(b) Area comprised within the district of Chickmagalur, Hassan, Coorg and South Kanara		
17	Medical Inspector of Factories, Bangalore	...	Area comprising the whole of the State of Karnataka	All powers under Section 9 (a) and 9 (b) of the Act and Rule 14 (1) (a) and 14 (1) (b) of Karnataka Factories Rules, 1969	
18	Senior Inspectors of Factories, Bangalore	...	Area comprising the whole of the State of Karnataka	All powers with reference to health and Welfare of young persons and adults who are females under Section 9 (a) and 9 (b) and Rule 14 (1)(a) of Karnataka Factories Rules, 1969	
19	Deputy Chief Inspector of Factories, Bangalore	Additional Labour Commissioner, Bangalore	Area comprising the whole of the State of Karnataka	Inspector All powers under Section 9 (a) and 9(b) and Rule 14 (1) (a) and 14 (1)(c) of Karnataka Factories Rules 1969	

				Additional Inspector: Powers of inspection under Section 9 (a) and 9 (b) and Rule 14 (1)(a) of Karnataka Factories Rules, 1969, in respect of maters specified in the Annexure to this table

ANNEXURE

1.	Section 11	...Cles...	.....	Cleanliness
2.	Section 16	.....	.....	Overcrowding
3.	Section 17	.....	.....	Lighting
4.	Section 18	.....	.....	Drinking Water
5.	Section 19	.....	.....	Letrines and Urinals.
6.	Section 20	.....	.....	Spitoons
7	Section 33	.....	.....	Precautions in case of fire.
8.	Chapter V	.....	.....	Welfare.
9.	Chapter VI	.....	.....	Working hours of adults (except the powers of exemption under the provision to Section 62)
10.	Chapter V I	.....	.....	Employment of young persons-
11.	Chapter VIII	.....	.....	Leave with wages,
12.	Section 108	.....	.....	Display of Notices.

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secretary to Government,
Social Welfare and Labour Deptt.

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2097

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 186 TML 73

Bngalore, dated 4th January 1975.

S. O. 1038 —In exercise of the powers conf rred by Section 13 of the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 964), the Government of Karnataka determines that :—

(i) the Number of territorial divisions into which Town Municipal Council, Koratagere shall be divided shall be three;

(ii) the extent of each of the said divisions shall be the area comprised within the limits of the boundaries indicated in column (2) of the schedule annexed to this Notification;

(iii) the number of seats allotted to each of the territorial division shall be as indicated in column (3) of the said schedule;

(iv) the number of seats reserved for Scheduled castes and Women in each territorial divisions shall be as indicated in columns (4) and (5) respectively of the said schedule.

SCHEDULE

Divn. No.	Extent of Territorial Division	No. of seats allotted	No. of seats reserved for S. Cs.	No. of seats reserved for Women
1	2	3	4	5
I	*East* :—Boundary of II Division Starting from South-East Corner of Sri Govindaiah's house proceeded on Northward-Crossing Tumkur and Madhugiri Road and on to Kumbar	5	1	Nil

1	2	3	4	5

beedi upto Edigara Beedi and take a turn to Eastwards proceed along with Edigar Pedian on infront of Talavari Dodda at's house. Dhobi Bheemaian's house and Babanagudi and crossing Ganesha temple street and take a turn to south near Sri Krishnamurthy's house and then take turn to Eastwards on the Aresnabeedi and proceeded infront of Avalakakki Nanjappa's house and take a turn to North and proceeded up to Therina beedi and upto Hucha Vadhutara Mata.

North :—Shri Gargadhareswara Hill and S No 181 of Kasaba starting from Mudalapana village Boundary and Huchavadhutara Mara and proceeded on to westwards on the boundary of S. No. 181 and Sri Gangadhareswara Hillock and take a turn to South at the boundary of S No. 182 of Kasaba Koratagere up to the boundary S. No 1 of Kasaba Koratagere and take turn towards south Eastern side and proceeded upto the eastern and of S No 1 and take a turn towards western side and reach to the North-west corner of S No 36 of Hanumanthapura village.

West :—Hanumanthapura village boundary and S. No. 4 of Kasaba Koratagere starting from the North Western corner of S. No. 36 of Hanumanthapura village and proceeded on to the South eastern corner of S. No. 36 of Hanumanthapura and take a turn to eastern side proceeded upto North eastern corner of S No 35 of Hanumanthapura and take a turn towards South and proceeded along with

1	2	3	4	5
	the boundary of S. No. 35 crossing Tumkur and Madhugiri Road and reach at South west corner of Doddamata and Mudalapana nale.			
	South :—Boundary of Mudalapana nale and Suvarn mukhi River. Starting from the South-Western corner of Doddamata and Mudalapana nale and proceeded towards Eastern side along with the Mudalapana nale and joins with South western corner of II Division and South-Eastern corner of Sri Narappa's house.			
	II East :—Boundary of III Divisions. Starting from south-Eatern corner of Sri Lingeswdara Choultry premises and Mudalapana nala and proceeded upwards towards North crossing Tumkur-Madhugiri Road and on to Brahmins street upto Sajjan Street and take a turn to Eastern side and proceeded upto Dasara Street and again take a turn to Northern side proceed along Dasara street and weavers street and proceed in front of Sri Subbaravappa's house and joins Ganesha temple street and take turn towards south proceeded upto Sri V. B. L. N. Rao's house and take a turn to Eastern side along with Upparahead and proceed upto in front of Smt. Giriyamma's house and joins Therina Beedi.	5	Nil	
	North :—Boundry of I Division. Starting from the Eastern and of Therinabeedi and proceeded towards west along Therinabeedi, and take a turn near Sri. Valkki Nanjappa's house towards South and proceeded on to Arakana-			

1	2	3	4	5
	beedi and take a turn towards west and proceeded on Arasana-beedi upto Ganesha temple steet and take a turn towards north behind Sri Krishnamurthy's house and proceed on to Ganesha temple street and reach in front of Bavana Gudi, Dobbi Ramaiah Talari: Doddaiah's Beedi and proceeding with Edigara beedi upto Kumbara beedi.			
	West :—Boundary of I Division. Starting from western end of Edigarabeedi proceeded Southwards on the Kumbarabeedi and crossing Tumkur-Madhugiri Road and joins Mudlapanna nale behind Narasappa's House.			
	South :—Mudalapura Nale, Suvarnamukhi river starting from South-corner of Sri Narasappa's house and proceeded towards eastern side along with Mudalapana nale and joins the south-east corner of Sri Lingegowdana choultry near South-Western corner of III Division.			
III	***East*** :—Boundary of Mudalapana village starting from Mudalapanna Nala near South-west corner of S No. 117 of Mudalapana village and proceeded towards Northwards along with Mudalapana village boundary by crossing Tumkur-Madhugiri Road and on the western border of Sri Gokula Anjaneya Taluk and reach the boundary of II Division near Uppara beedi.	5	Nil	Nil
	North :—II Division Boundary starting from the Eastern end of Uppara beedi proceeded on towards west upto Sri. V. B. L. N. Rao's house and			

1	2	3	4	5
	take a turn towards North and proceeded along with Ganesha temple street and take turn towards west in front of Sri Subbarayappa's house proceeded on the weavers street upto Korachara beedi cross,			
	West :—Boundary of II Division Starting from Korachara beedi cross proceeded along with weavers street and on Dasara street upto Sajjanara street and take a turn towards west along with Sajjan street and reach Brahmins streets and then take a turn towards South and proceeded along with Brahmins street crossing Tumkur and Madhugiri Road and proceeded on the road leading to Mudalapana Nala joins the south-western corner of Sri Linge gowdara Choultry, premises.			
	South :—Mudalapana Nala and Suvarnamukhi River. Starting from the South-eastern corner of Sri Lingegowdara choultry premises and proceeded towards East along with Mudalappana Nala and reaches the boundary of Mudalappana village.			
	Total ...	15	1	1

By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA,

Under Secretary to Government,

1900 *Health and Municipal Administration Department.*

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 435 TDI 73.

Bangalore, dated 29th January 1974.

S. O 1039.—In exercise of the powers conferred under the proviso to sub-section (3) of Section 81 of the Karnataka Municipalities Act, 1964, the Government of Karnataka is pleased to withdraw the possession of the property from the Town Municipal Council, Annigeri as show in the schedule annexed hereto, without making payment of any compensation to the Town Municipal council, Annigeri.

SCHEDULE

District	Taluk	Village	C. T. S. No. Area of property to be withdrawn.	Boundaries	Name of the (property) T M. C. from which property in Col. No. 4 is to be withdrawn
1	2	3	4	5	6
Dharwar	Navalgund	Annigeri	C T S No. 1636	*Area* Sq Yds. 39-10	East : 1631 1633 1635 1637 West : 1637 1638 1639 & Road — T. M. C. Annigeri

1	2	3	4	5	6	
					North : 1641, 1643, 1640, 1631, 1627 & Road South : 1644.	
			1638	485	East : 1636 West : 1640 North : 1638 South : 1639	
			1643	1745	East : 1636 West : Road North : 1641 South : R. S. No. 536	
			2226	2780	East : Road West : 1770 North : Road South : 1650	
			2242	770	East : Road West : 2241 North : Road South : Road	

7015

2972	908	East :	2971 & Road
		West :	2981
			2982
		North :	3011, 2974 & 2975
		South :	Road
2879	384	East :	2878.
		West :	Road
		North :	2877. 2880
		South :	Road
2981	1216	East :	2972
		West :	Road
		North :	2976. 2977
			2978 2479 & Road
		South :	2982, 2972.
3053	1260	East :	2982
		West :	Road
		North :	3049, 3052, 3051, & 3050
		South :	Road.

2013

By Order and in the name of the Governor of Karnataka,

B. SANNAPPA,
Under Secretary to Government,
Health and Municipal Admn. Department

2463

HOME SECRETARIAT

Notification, No. HD 23 TMI 75.

Bangalore, dated 23rd April 1975

S. O. 1043 —WHEREAS a reciprocal agreement has been entered into between states of Karnataka and Tamiln du in Notification S. O. 694 (HD 45 (A) TMI 72) dated 30th April 1973 published in Part IV-Section 2c (ii) of the Karnataka Gazette Extra ordinary dated 1st May 1973;

AND WHEREAS it is proposed to modify the said agreement in certain respect;

NOW, THEREFORE, the draft of the reciprocal agreement which the Government of Karnataka proposes to enter into with the Tamilnadu Government is hereby published as required by sub-section 3 (A) of Section 63 of the Motor Vehicles Act, 1939, (Central Act 4 of 1939) for the information of all persons, associations and authorities who have a right under the said sub-section (3A) to make representations, and notice is hereby given that the agreement will be taken up for consideration by the Commissioner for Home Affairs and Secretary to Government of Karnataka, Home Department, Vidhana Soudha, Bangalore-560001 in his chambers on 5th June 1975.

DRAFT SUPPLEMENTAL AGREEMENT

Whereas, it is decided to control the plying of Transport Vehicles on inter-state routes between the States of Karnataka and Tamilnadu and as supplemental to the agreement entered into between the Government of Karnataka and Tamilnadu published *vide* Notification No. HD 45 (A) TMI 72 dated 1st May 1973 (S O. 694) in Part IV 2C-(ii) of the Karnataka Gazette (Extraordinary)

dated 1st May 1973, it is hereby agreed between the Governments of Karnataka and Tamilnadu as follows :—

This agreement is made this..... ....between the Governor of Karnataka (hereinafter called the Government of Karnataka which expression shall, where the context so admits, include his successors in Office) of the one part and the Governor of Tamilnadu (hereinafter called the Government of Tamilnadu which expression shall where the context so admits include his successors in office of the other part.

Stage Carriage Services:—For the entries relating to the route Bangalore to Denkanikotah appearing at item 1 of Appendix–II of the original agreement dated 30th April 1973 the following entries shall be substituted :

Bangalore to Dankanikatah *via* Chandapur, Anekal and Thali	26x4	1	104–00

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

FINANCE SECRETARIAT

Notification No. FD 7 BFC 74 (III)

Bangalore, dated 16th January 1975.

S. O. 1044.—Under sub section 3 of Section 4 of the State Financial Corporations Act, 1951, the Government of Karnataka with the approval of the Central Government hereby sanction, the issue of additional 25,000 shares of Rs, 100 each of the total value of Rs. 25 lakhs by the Karnataka State Financial Corporation exclusively to the category mentioned in section 4(3) (c) of the State Financial Corporation's Act 1951, *viz.* Scheduled Banks, Insurance Companies (including the Life Insurance Corporation of India established under section 3 of the Life Insurance Corporation Act, 1956), investment trusts, Co-operative banks or other financial institutions.

Further, the Government of Karnataka fix, with the approval of the Central Government, the minimum annual divided at the rate of 6½ per cent (Six and half per cent) per annum and also guarantee the repayment of principal and the payment of annual dividend at the rate as fixed above.

By Order and in the name of the Governor of Karnataka,

S. KRISHNA KUMAR,

Deputy Secretary to Government,
Finance Department. (B&R)

1860

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour Dispute.—Industrial Dispute between the workmen and the management of Raman's Cafe, Kalasipalyam, Bangalore-2,

Award of the Presiding Officer, Labour Court, Bangalore, published.

Read the following Papers :

(1) Letter No. 1809/74-75, dated 22nd/25th January 1975, from Shri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 22nd day of January 1975.

Present :

Shri P. Srinivasacharya, B.A., LL.B., *Presiding Officer.*

Reference No. 98 *of* 1972.

First Party.—

Sri Shivaramaiah, s/o Shankar Bhat, Door No. 76, 4th Main Road, N. R. Colony, Bangalore-19.

Vs.

Second Party.—

The Management of Raman's Cafe, Kalasipalyam, Bangalore--2.

Reference.—Government Order No. FCL 205 LLD 71, dated 21st August 1972.

AWARD

1. The Government of Mysore (now Government of Karnataka) in their order No. FCL 205 LLD 71 dated 21st August 1972 have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below :—

"Is the management of Raman's Cafe, Kalasipalyam, Bangalore-2, justified in refusing employment to Sri Shivaramaiah with effect from 11th April April ?

If not, what relief is the said worker entitled to ?"

2. The first party filed his claim statement on 7th November 1972 and the second party filed its counter-statement on 5th January 1973 and on the same day issues were framed and the case was set down for evidence.

3. To-day when the case was called on for hearing, both the parties were present and filed a joint memo of settlement, dated 22nd January 1975 and prayed for an award in terms of the same. I have verified the said joint memo. The terms are reasonable and fair. Hence accepted.

4. In the result, I pass an award in terms of the joint memo of settlement which shall be annexed to this award and be deemed as forming part of it. No costs.

P. SRINIWASACHARYA,

Presiding Officer,
Labour Court, Bangalore.

/COPY/

P. Srinivasacharya,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Ref. No. 96/72.

I Party—

Sri Shivaramaiah.

Vs.

II Party

The Management of M/s. Raman's Cafe, Bangalore.

Joint Memo of Settlement

1. The parties above named beg to submit as follows:

2. The above reference is in respect of the alleged termination of the services of Sri Shivaramaiah the I party by the II party. Subsequent to the reference to this Hon'ble Court, the parties, have settled their differences amicably due to the intervention of the well wishers of both sides and have reached the following settlement.

3. The II party has paid this day to the I party the sum of Rs. 500 (Five Hundred) only in Court. The I party has accepted the same in full and final settlement of all his claims against the II party including the claim for reinstatement and other reliefs as contained in the order of reference and in the claim statement filed in the above case. The I party hereby confirms that he has no other claims of any kind against the II party.

4. The parties pray that an Award may kindly be passed in terms of this settlement.

Bangalore :
Dated: 22-1-75

S. SHIVARAMAIAH,
I Party.

S. RAMAKRISHNA,
Advocate of I Party.

M. S. RAMAN,
II Party.

K. N. CHANDRA SHEKHER,
Authorised Rep. of II Party.

Order No. SWL 32 LLA 75.

Bangalore, dated the 19th February 1975.

S. O. 1045.—

WHEREAS by State Government Order No. FCL 205 LLD 71, dated 21st August 1972, the Industrial Dispute between the workmen and the management of Raman's Cofe, Kalasipalyam, Bangalore-2, was referred to the Labour Court, Bangalore, for adjudication.

AND, WHEREAS the Labour Court, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secy. to Govt., S.W. and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour Dispute.—Industrial dispute between the workmen and the management of K. R. Puttappa Silk Factory, No. 63, Siddanna Lane, Bangalore-2.

Award of the Presiding Officer, Labour Court, Bangalore—Published.

Read the following papers.

(1) Letter No. 1942/74-75, dated 18th February 1975, from Shri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 18th day of February 1975

PRESENT :

Shri P. Srinivasacharya, B.A., LL.B.,

Presiding Officer.

REFERENCE No. 91 OF 1974

First Party—

M. P. Srinivas, Weaver, represented by the President, Akhila Karnataka Powerloom and Handloom Karmikara Sangha, No. 11, Joripet, Chikkannamma Temple Lane, Bangalore-2.

Vs.

Second Party—

The Management of K. R. Puttappa Silk Factory, No. 63, Siddanna Lane, Bangalore-2.

Reference—

Government Order No. SWL 119 LLD 74, dated 9th June 1974.

AWARD

1. The Government of Karnataka in their Order No. SWL 119 LLD 74, dated 9th June 1974 have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below :—

"Are the Management of K. R. Puttappa Silk Factory, No. 63, Siddannagalli, Bangalore-2, justified in refusing Sri M. P. Srinivas, Weaver, to resume work with effect from 5th February 1973 ?

If not, to what relief is the said workman entitled ?"

2. On receipt of the reference it was registered as Reference No. 91 of 1974 and notices were issued to the parties which were duly served on them. On the first hearing date, i.e., 15th July 1974, first party was present and prayed for time to file claim statement. On that day second party was represented by Sri Rajagopal, advocate. Thereafter first party remained absent throughout the proceedings and did not file his claim statement. The second party filed their statement on 25th November 1974, examined one witness (M.W. 1) on 21st January 1975 and on 10th February 1975 arguments were heard and the case was posted for award.

3. The second party in their statement filed on 25th November 1973 has stated that the demand of the first party workman was for the first time raised before the Conciliation Officer on 21st February 1973 and till today no such demand or dispute had been raised with the second party management. It is well settled that a mere demand on the Government without a dispute being raised first by the workman with the employer regarding the dtmand, is not an industrial dispute within the meaning of that terms as defined in the Industrial Disputes Act, 1947 and therefore reference was bad in law and is liable to be rejected.

4. M.W. 1 is one K. R. Puttappa, Proprietor of the second party. His evidence is to the effect that first party was working for sometime and abandoned the service. First party workman's total service may come to about 1½ years and was getting about Rs. 40 to 45 per week. Before approaching the Labour and Conciliation Officer first party had not raised any direct demand with him either for reinstatement or compensation. He had sent a letter to the Conciliation Officer as per Ex. M. 1 in which he had stated that he was prepared to take first party on duty at any time. The worker had demanded for Rs. 50 advance which he refused to pay. The first party workman voluntarily abandoned service and did not turn up for work. He had never refused any work. He prays that the reference be rejected.

5. First Party has absented himself and has not evinced any interest. There is no reason to disbelieve the version of the second party that when employer refused to pay an advance of Rs. 50 first party voluntarily abandoned the services and that the second party never refused any work. The further defence taken by the second party is that since the first party has not raised any direct demand with the employer for either reinstatement or compensation, this reference is fit to be rejected. In support of this contention, reliance was placed upon the observations of the Supreme Court in Sindhu Resettlement Corporation. Ltd., *Vs.* Industrial Tribunal, Gujarat and others (reported in 1968 I LLJ 834), which reads as follows :—

"A mere demand to a Government without a dispute being raised by the workmen with their employer cannot become an Industrial dispute."

If the first party had not raised any direct demand for reinstatement or compensation with the second party, the reference is fit to be rejected. In this case, the first party did not evince any interest and the version of the second party stands unrebutted. In the circumstances, the reference is fit to be rejected.

6. In the result, I pass an award rejecting the reference. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bongalore.

"Copy"

P. Srinivasacharya,
Presiding Officer,
Labour Court, Bangalore.

Order No. SWL 49 LLA 75,

Bangalore, dated the 5th March 1975.

S. O. 1046.—

WHEREAS by State Government Order No. SWL 119 LLD 74, dated 9th June 1974 the Industrial Dispute between the workmen and the management of K. R. Puttappa Silk Factory, No. 63, Siddanna Lane, Bangalore-2, was referred to the Labour Court, Bangalore, for adjudication.

AND WHEREAS the Labour Court, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pelased to direct the publication of the said award as above in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

HOME SECRETARIAT

Notification No. HD 7 TMI 75, Bangalore,

dated 29th April 1975.

S.O. 1047.—**Whereas** a reciprocal agreement has been entered into between States of Karnataka and Tamilnadu in Notification S.O. 694 (HD 45 (A) TMI 72), dated 30th April 1973 published in Gazette Extraordinary dated 1st May 1973;

And whereas it is proposed to enter into another agreement between the said States with certain modifications to the said agreement;

Now, therefore, the draft of the reciprocal agreement which the Government of Karnataka proposes to enter into with the Government of Tamilnadu is hereby published as required by sub-section (3A) of Section 63 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), and in supersession of Notification No. HD 7 TMI 75, dated 15th April 1975 as published in S.O. 1011 in Part IV-2 G (ii) at pages 2058 and 2059 of the **Karnataka Gazette,** dated 24th April 1975 for the information of all persons, associations and authorities who have a right under the said sub-section (3A) to make representations, and notice is hereby given that the agreement will be taken up for consideration by the Commissioner for Home Affairs and Secretary to Government of Karnataka, Home Department, Vidhana Soudha, Bangalore-560001 in his Chambers at 11-30 a.m. on 5th June 1975.

Draft Supplemental Agreement

Whereas it is decided to control the plying of transport vehicles on inter-state routes between the States of Karnataka and Tamilnadu and as a Supplemental Agree-

ment to the agreement entered into between the Governments of Karnataka and Tamilnadu and published **vide** Notification No. HD 45(A) TMI 72, dated 1st May 1973 (S.O. 694) in Part IV-2-C(ii) of the **Karnataka Gazette,** (Extraordinary) dated 1st May 1973, it is hereby agreed between the Government of Karnataka and Tamilnadu as follows :—

This agreement is made this May 1975 between the Governor of Karnataka (hereinafter called the Government of Karnataka, which expression shall, where the context so admits, include his successors in office) on the one part and the Governor of Tamilnadu (hereinafter called the Government of Tamilnadu which expression shall, where the context so admits include his successors in office on the other part

Contract Carriage Services (Omni - buses :—The number of permits for contract carriages (Omni buses) of each of the States of Tamilnadu and Karnataka to be countersigned by the other State in accordance with the Proviso to sub-section (3) of Section 63 of the Motor Vehicles Act, 1939 (Central Act IV of 1939) shall be two. The other clauses of the main agreement will apply to this supplemental agreement.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

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PART IV

Section 2-C (ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

SOCIAL WELFARE AND LABOUR SECRETARIAT

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR DEPARTMENT

Labour dispute: Industrial dispute between the workmen and the management of Karnataka State Road Transport Corporation, North Kanara Division, Sirsi.

Award of the Presiding Officer, Labour Court, Hubli, published.

Read the following papers.

(1) Letter No. LCH/2322/74-75, dated 31st January 1975 from Sri H. L. Narayana Gowda, Presiding Officer, Labour Court, Hubli.

BEFORE THE LABOUR COURT AT HUBLI

Reference ID (LCH) Claim No. 82/1973

Present:

Sri H. L. Narayanagowda, B.A. LL.B., *Presiding Officer.*

Dated 31st January 1975

Claimant :

Sri S. N. Haliyal, C/o The General Secretary, The Karnataka State Road Transport Employees' Union, Hubli.

***Respondent*:**

The Management of KSRTC North Kanara Division, Sirsi.

Government Order No. SWL 999 LLD 73,
Dated 20th November 1973.

JUDGEMENT AND AWARD

The Government of Karnataka have made this reference under clause (c) of sub-section (1) of section 10 of the I.D. Act 1947 (Central Act No. 14 of 1947) referring the dispute between Sri S. N. Haliyal, Ex-Conductor KSRTC, N. K. Division, Sirsi, and the Management of K.S.R.T.C., N. K. Division, Sirsi for adjudication to this Court on the following points of dispute.

"1. Is the Management of KSRTC North Kanara Division, Sirsi justified in terminating the services of Sri S. N. Haliyal, Conductor, T.No. 4874 with effect from 5th March 1973 ?

2. If not to what relief the workman entitled ?"

2. The claimant in his claim statement states as follows : He was working as a conductor from August 1972. His services were terminated by order dated 2nd March 1973 on the ground that his work was not suitable. No charges were framed against him nor opportunity given to him to offer explanation. There was also no enquiry. This is an clear violation of Model Standing Orders which are applicable as there are no certified standing Orders. It is also against the Principles of Natural justice. He orally demanded reinstatement but Respondent did not reinstate him. Conciliation proceedings also ended in failure. He has been unemployed since the termination of his service and is in grant financial distress. He prays that he may be ordered to be reinstated with full back wages.

3. The Respondent in its written statement pleads as follows: The claimant was appointed as a local candidate purely on temporary basis with an instruction that his appointment is purely temporary and he may be discharged at any time. That there is no case for the claimant against the Respondent as the appointment of the claimant is so clear as it is on purely temporary basis. The claimant has also accepted to serve as a local candidate. As such he cannot claim anything from the Respondent. That the cliamant was discharged from service as he was not proved to be suitable for the post of a conductor wherein he was appointed. The petitioner was discharged as per the terms of his contract of service. The Respondent its right in discharging from his service. The action of the Respondent is legal and in accordance with service conditions. It prays that the reference may be rejected with costs.

4. In support of its case, the Respondent has examined its Asst. Labour Welfare Officer Sri B. M. Balekar as MW-1 and clowed. Ex. M-1 and M-2 are the documents filed for it. The claimant has not adduced any evidence either oral or documentary.

5. I have perused the records and heard Sri N. M. Hanasi, learned advocate for the claimant and Sri S. M. Shettar, learned advocate for the Respondent.

6. Sri Palekar, Asst. Labour Welfare Officer as MW-1 has stated in his evidence that the claimant was working as conductor in KSRTC Sirsi Division, Sirsi on temporary basis. He was dismissed from service on 2nd March 1973. He was appointed as Conductor from August 1972 till his dismissal on short term basis. They have given him short term appointment having him break in service. There was a default case against him on 19th February 1973. Ex. M-1 is the report of the checking Inspector dated 19th February 1973. Ex. M-2 are the unpunched tickets seased from the Conductor. The claimant was discharged from

service as he was a temporary hand. The conditions of his service were that that if he was found unsuitable for the post during the period of his service, he was liable for discharge from service. The claimant has been discharged strictly in accordance with the terms and conditions of his service.

7. In cross-examination he states that there are no standing orders in KSRTC. It is true that the claimant was dismissed because he misappropriated the revenue of the KSRTC. They have not issued any chargesheet to the claimant on the basis of Ex. M-1. They have not called for his explanation before he was dismissed. There was no domestic enquiry held against the claimant. The claimant was not given any chance to explain before he was dismissed. He cannot say that claimant was an efficient conductor.

8. In Keshavappa Shetty and other V/s. The Divisional controller, MSRTC, Bellary in Writ Petition No. 4835 and 4855 of 1970 His Lordship Justice Sri V. S. Malimath of our High Court has that if a temporary employee is found unsuitable, the Management has got powers to discharge him and the act of the Management cannot be challenged. In this case it is not denied that the claimant was a temporary conductor. The Personnel Officer Sri B. M. Palekar MW-1 has stated that the claimant was found unsuitable for the job and hence he was dismissed. Whether the claimant was really suitable or not, is a matter which can be decided by the Respondent and this Court cannot sit in judgement over the decision of the Respondent that the claimant is not suitable for job. The claimant was a temporary hand, the Respondent has found him unsuitable and has dismissed him. The order of dimissal cannot be questioned by the claimant in this Court. No question of denying the claimant of the principles of natural justice arises in this case because he was a temporary hand. The reference must be rejected.

AWARD

The reference is rejected. No costs.

Hubli,
31st January 1975.

H. L. Narayanagowda,
Presiding Officer,
Labour Court, Hubli.

Order No. SWL 31 LLA 75, Bangalore, dated the 19th February, 1975.

S O. 1052.—

WHEREAS, by State Government Order No. SWL 999 LLD 73, dated 20th November 1973 the industrial dispute between the workmen and the management of Karnataka State Road Transport Corporation, North Kanara Division, Sirsi, was referred to the Labour Court, Hubli, for adjudication.

AND, WHEREAS, the Labour Court, Hubli, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above in the *Karnataka Gazette*.

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secy. to Govt., S.W. and L. Dept.

SOCIAL WELFARE AND LABOUR SECRETARIAT

Order No. SWL 50 LLA 75, Bangalore, dated the 5th March, 1975.

S.O. 1053 .—WHEREAS, before the Presiding Officer, Labour Court. Bangalore, a complaint was made under Section 33-A of the Industrial Disputes Act 1947 (Central Act No. 14 of 1947), by Sri Shivalingaiah and Sri Krishnappa, care of Bangalore General Labour Union, Subedar Chatram Road, Bangalore-9.

AND, WHEREAS, the said Labour Court adjudicated upon the said complaint and submitted its award to the State Government as required under Section 15 read with Section 33-A of the said Act.

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act 1947 (Central Act No. 14 of 1947) the Government of Karnataka hereby directs the publication of the said award in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secy. to Govt. S.W. and L. Dept.

BEFORE THE PRESIDING OFFICER,
LABOUR COURT, BANGALORE.

Dated this 19th day of February 1975

Present:

Shri. P. Srinivasacharya, B.A., LL.B., .. *Presiding Officer.*

Complaint Application No. 8 *of* 1974

IN

Reference No. 69 *of* 1974

Complainant:

1. Sri Shivalingaiah (Unit President), care of Bangalore General Labour Union.

2. Sri Krishnappa (Unit Vice-President), care of Bangalore General Labour Union, Subedar Chatram Road, Bangalore-9.

Opposite Party:

Messrs. Bangalore Chemical and Manufacturing Company Private Limited, Rajajinagar, Bangalore-44 By its Secretary, Sri K. Ramanathan.

AWARD

1. This is a complaint application under Section 33A of the Industrial Disputes Act by the above named complainants against Bangalore Chemical and Manufacturing Company Private Limited, Bangalore-44. Their case is that in Reference No. 69 of 1974 they had attended the Court for 8 days and the opposite party had made an illegal and unjustified deduction in the wages of these complainants. This is a clear violation of Section 33 of the Industrial Disputes Act. Hence the opposite party be directed to refund Rs. 94.98 to Mr. Shivalingaiah and Rs. 93.92 to Sri Krishnappa.

2. This has been opposed by the opposite party saying that on several occasions the representatives of union who will attend the conciliation of Labour Court cases, would be given permission only to the extent of the actual time required and subject to only one representative. But without heeding to the advice of the management, two representatives used to go for one full day for the days of conciliations. Since they did not care to follow the advice of the management there was no other way left except to adjust and grant them their earned leave for the days they have attended conciliation. Further the management had not deducted any wages from the complaints and question of awarding any compensation or cost does not arise.

3. On 10th February 1975 when the case was called on Sri Mallesh who appears for the opposite party, submitted that the opposite party has agreed to readjust the leave and credit the 8 days leave to each one of the complaints and the matter be closed. The terms are reasonable and fair and hence I accept the same.

4. In the result, the complaint is closed. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR DEPARTMENT

Labour Dispute.—Industrial Dispute between the workmen and the management of M/s. Barguai Estates of Coffee Lands Ltd., Sakleshpur, Hassan District.

Award of the Presiding Officer, Labour Court, Mangalore published.

Read the following Papers :

(1) Letter No. A/ID-42/44-75 dated 25th January 1975 from Sri H. S. Venkata Subbaiah, Presiding Officer, Labour Court, Mangalore.

BEFORE THE LABOUR COURT AT MANGALORE

Dated 25th January 1975.

Reference (ID) (LCM) No. 42 of 1974.

Present :

Shri H. S. Venkatasubbaiah, B.A., LL.B.,

Presiding Officer.

Between :

The workmen, represented by the Estates Staffs Union of South India, Chikmagalur .. *I Party.*

and

The Management of M/s. Baruguai Estate of the Coffee Lands Ltd., Sakleshpur Post, Hassan District .. *II Party.*

AWARD

The Government of Karnataka, being of the opinion that an industrial dispute exists between the workmen and the management of Barguai Estate of the Coffee Lands Ltd., Sakleshpur, Hassan District, have referred the said dispute for adjudication to this Labour Court under Section

10(1) (c) of the Industrial Disputes Act, 1947, by their Order No. SWL 523 LLD 74 dated 8th July 1974. The Points of dispute as specified in the Order of the reference are as follows :—

"1. Is the management of M/s. Baruguai, Sakleshpur post, Hassan District belonging to M/s. Coffee Lands Ltd., Sakleshpur, Hassan District Justified in refusing to pay Sri M. H. Veerappa his salary from 16th July 1973 to 16th August 1973 ?

2. If not to what relief is the said workman entitled ?"

2. After the receipt of the reference, notices were issued to both the parties to file their respective Statements. The first party filed its claim statement through post on 29th July 1974 and the second party filed its counter statement through post on 6th December 1974 respectively. The first party filed its reply statement through post on 7th December 1974. The claim of the first party in short is that Sri M. H. Veerappa is a staff member under the second party whose monthly salary is Rs. 456.25 comprising of Rs 225 basic and Rs. 231.25 dearness allowance. He is a permanent employee working continuously under the second party. However his salary from 16th July 1973 to 16th August 1973 has not been paid by the second party. It is contended that the action of the second party withholding his salary is without lawful and reasonable grounds. The action of the second party is *malafide*. Hence it was prayed that an award may be passed for payment of salary as above to the first party.

The second party in its counter statement resisted the claim of the first party and contended that it is not correct to say that the second party has witheld the salary of the first party amounting to Rs.456.25 without lawful and reasonable grounds. It is stated that the management had issued a transfer order transferring the first party from Barguai to Merthikhan Estate. The first party applied for leave on 23rd June 1973 for 22 days commencing from

24th June, 1973 to 15th July 1973. The leave was sanctioned to the first party and he was relieved of his duties at Barguai Estate as per the transfer order and directing him to report for duty at Merthikhan Estate on expiry of the leave. But the first party did not report for duty at Merthikhan Estate on 16th July 1973 after the expiry of his leave alleging that the quarters allotted to him require certain adjustments. The second party further submits that an alternative accommodation was offered to the first party. Inspite of that the first party abstained from reporting to duty at Merthikhan Estate. The quarters proposed to have been allotted to the first party were occupied previously by the staff members of equal rank. Therefore the reason put forth by the first party is not tenable. The first party unauthorisedly abstained from work from 16th July, 1973 to 16th August 1973. Hence he is not entitled to wages for the said period.

3. In view of the above pleadings, necessary additional issue was framed on 24th December 1974 and the case was posted for evidence. In the meantime a memo was received in the office on 13th January 1975 from the first party stating that the matter has been settled amicably and as such the first party does not press further proceedings in the above matter. On 22nd January 1975 when the case was taken up, both the representatives for the parties appeared before court and submitted that the matter has been amicably settled out of court and the reference may be rejected. In view of the above, there remains nothing more to be done in the matter but to reject the reference as not pressed.

4. In the result, the reference is rejected as not pressed. The memo fied by first party shall form part of the award. Parties to bear their own costs.

Mangalore,
Dated: 25-1-1975

Sd. H. S. VENKATASUBBAIAH,
Presiding Officer,
Labour Court, Mangalore.

ANNEXURE

BEFORE THE HONOURABLE LABOUR COURT, MANGALORE.

Ref. No. 42 *of* 1974

Between.—

Shri M. H. Veerappa, Staff Member, Barguai Estates of Coffee Lands Ltd., Sakleshpur P.O., represented by the Secretary for Mysore, Estates Staffs Union of South India, ESUSI House, Vijayapura, Chickmagalur.

I Party.

Vs.

The Management of Coffee Lands Ltd., Sakleshpur Post. *II Party.*

May it please your Honur.—

On behalf of the I Party, the Union begs to submit that the above matter has been settled amicably and as such it does not press further proceedings in the above matter.

A copy of this has been sent today to the II party management.

Dated this the 4th day of January 1975 at Chikmagalur.

For the I Party.

(Sd.) P. H. PINTO,
Secretary for Mysore ESUSI,
Chikmagalur.

Note and file.
(Sd.) H. S. Venkatasubbaiah,
Presiding Officer,
Labour Court, Mangalore.
22nd January 1975.

"TRUE COPY"

H. S. Venkatasubbaiah,
Presiding Officer,
Labour Court, Mangalore.
25th January 1975.

Order No. SWL 37 LLA 75

Bangalore, dated 22nd February 1975

S. O. 1054.—

WHEREAS by State Government Order No. SWL 523 LLD 74 dated 8th July 1974 the Industrial Dispute between the workmen and the management of M/s. Barguai Estate of Coffee Lands Ltd., Sakleshpur, Hassan District, was referred to the Labour Court, Mangalore for adjudication.

AND, WHEREAS the Labour Court, Mangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secy. to Govt., S. W. and L. Deptt.,

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour dispute.—Industrial dispute between the workmen and the Management of Karnataka State Road Transport Corporation, Belgaum Division, Belgaum.

Award of the Presiding Officer, Labour Court, Hubli published.

Read the following papers:

(1) Letter No. LCH-2507/74-75, dated 1st/3rd March 1975, from Sri H. L. Narayana Gowda, Presiding Officer, Labour Court, Hubli.

BEFORE THE LABOUR COURT AT HUBLI

Reference ID (LCH) Claim No. 57/1973

Present:

Sri H. L. Narayanagowda, B.A., LL.B.,
Presiding Officer.

Date: 1st March 1975

Claimant:

Sri Y. R. Nesoor, Ex Conductor, 633 Rajuns Gathi, Angol, Belgaum.

Vs.

Respondent:

The Management of Mysore State Road Transport Corporation, Belgaum Division, Belgaum.

Order No. SWL 629 LLD 73, dated 3rd August 1973.

JUDGEMENT AND AWARD

The Government of Karnataka have made this reference under clause (*c*) of sub-section (1) of Section 10 of the I.D. Act 1947 (Central Act 14 of 1947) referring the dispute between Sri Y. R. Nesoor, Ex-Conductor, K.S.R.T.C. Belgaum and the Management of K.S.R.T.C. Belgaum Division, Belgaum for adjudication on the following points of dispute :

"(1) Whether the Management of Mysore State Road Transport Corporation, Belgaum Division, are justified in dismissing Shri Y. R. Nesoor, Conductor with effect from 7th November 1970 ?

If not, to what relief the said workman is entitled ?"

2. The claimant in his claim statement states as follows. The claimant was working as a conductor in the Belgaum Division of K.S.R.T.C. by his Order No. DCB/EST/340/17255, dated 6th November 1970 (C.E.O. No. 715 of 1970) by the Deputy General Manager and Divisional Controller, K.S.R.T.C. Belgaum, has unlawfully dismissed the claimant from K.S.R.T.C. Service. The appeal dated 13th November 1970 preferred by the claimant to the General Manager against the said order of dismissal came to be rejected, *vide* G.M's. Order No. MST/EST. D1 (BCM-1072-71)/1161, dated 14th March 1972. The second appeal preferred by the workman to the Vice-Chairman has been decided and the decision thereof has been communicated to the claimant. The second appellant authority having held the charge of attempted pilferage disproved ought to have allowed the appeal and ordered the claimant's reinstatement. But instead the second appellate authority gave the workmen the so called 'concession' of appointing the claimant as a fresh candidate as Helper 'B'. This decision of the 2nd appellate authority is not acceptable to the workman. Appellate authority is not acceptable to the claimant the same being unfair, unjust and illegal. The charges levelled against

the workman are false and baseless. Those charges have never been duly proved. Hence the order is unjust, inequitable and illegal. The departmental enquiry made against the workman is not proper and legal. It is not in consonance with the Rules framed for the purpose. Principles of natural justice have been gravely violated during the course of enquiry held against the workman. No sufficient and reasonable opportunity has been given to the workman to defend himself and to plead and prove his innocence. The Dy.G.M. and D.C. has not properly applied his mind to the facts of the case. He has also failed to duly consider the replies given by the workman to the chargesheet and to the show-cause notice. The appellate authorities failed to follow the prescribed procedure in deciding the appeals and failed to see further that the charges against the workman were not duly proved and that the proper procedure was not followed during the enquiry held against the claimant. The Conduct of the enquiry and of the appeal has been so faulty that the same have become farcical. He prays that he may be reinstated inservice with full back wages and conticnuity of service.

3. The Respondent in its written statement pleads as follows :

The claimant was appointed on daily wages as conductor on 10th November 1966 and was confirmed to the post on 1st December 1967. The claimant was on duty on 10th October 1969 on Belgaum Gajendragad route on the vehicle bearing Registration No. MYF 3267. The checking squad of the Respondent Corporation checked the vehicle at Kardiguddi near Marihal Village and noticed that seven passengers were travelling in the said bus without tickets. The claimant had collected fares from the passengers but had not issued the tickets to them. On the checking squad noticing the said irregularities of the claimant asked the claimant to issue seven tickets of 50 paise denomination being the amount of fare. The

passengers were issued tickets bearing serial No. 42080 to 42086. The checking squad also directed the claimant to submit the T.R. 10 Form and Way bill on the following day, *i.e.*, on 12th October 1969. The claimant gave a false report to the Depot Manager (A) Belgaum submitting that way bill No. 383150 and TR-10 form 294050 were collected by the checking staff Hubli Division at Gajendragad. Therefore, expressed his inability to submit the said TR-10 form and way bill. On the checking squad checking the bus manned by conductor claimant, a note was made in the TR-10 form and way bill about the non-issue of the tickets to the seven passengers. The TR-10 form and way bill imporant documents to prove the pilferage against the claimant. The claimant therefore intentionally suppressed the TR-10 Form and Way bill anticipating an action for pilferage and to destroy the evidence against him. This a mala-fide wanton act of the claimant to save his skin against the penal action for committing pilferage. A reference was also made to Hubli depot to know as to whether any member of the checking squad of the Hubli Division checked the bus bearing resigtration No. MYF 3267 manned by the conductor claimant, checked the vehicle and took custody of Way bill and TR-10 form. After due enquiry a reply was received from the Hubli division intimating that the bus manned by the claimant conductor was not checked by any member of the checking squad of Hubli division of Respondent Corporation. The Security Inspector of Belgaum division also submitted a report that the TR-10 form and way bill issued to the claimant by the Writer Shri K. B. Halgi of Belgaum division for Belgaum Gajendragad route. The TR-10 form and Way bill were noticed by checking squad of Belgaum division when the bus was checked near Kurdiguddi. Therefore the claimant intentionally with *mala-fide* intention and to prepare his defence in the departmental action for pilferage by the Respondent Corporation intentionally distroyed the evidence against him by suppressing the TR-10 form and Way bill. There is an intentional misrepresentation to save his kith and kin.

Parting with TR-10 form and Way bill was an act of grave negligence of the claimant in the discharge of his duties. A departmental enquiry was held against the claimant. A chargesheet was framed by the competant authority Originally Shri V. S. Motgi, the Divisional Traffic Officer and subsequently Sri T. V. Nathan was appointed as enquiry Officer to hold inquiry against the claimant. The claimant in response to the show-cause notice submitted his reply. The claimant was heard personally by the Inquiry Officer and due and adaquate opporutnity was afforded to the claimant at the time of enquiry to represent his defence. The personal hearing of the case was commenced on 2nd September 1970 All the provisions of law were strictly adhered, to. Every opportunity was giveen to the claimant to defend himself. Principles of natural justice was followed in its entirety. The Enquiry Officer after due enquiry submitted a report holding the claimant to be guilty of pilferage and also held that the claimant has intentionally suppressed of the way bill and TR-10 Form to destroy evidence against him. The Deputy General Manager and Divisional Controller being satisfied on the report of the inquiry Officer that the guilt of claimant has been brought home and proved issued a showcause notice to show-cause why the claimant should not be dismissed from service. The claimant gave his reply to the Respondent Corporation. The Divisional Controller, Belgaum after taking into consideration the report of the enquiry Officer the contents of the show-cause notice and reply submitted by the claimant and after hearing the claimant personally was inclined to hold that the grave offence of pilferage and intentionally suppressed of TR-10 Form and way bill have been proved against the claimant and therefore ordered the dismissal of the claimant from service. The claimant preferred an appeal to the General Manager of the Respondent Corporation against the order of the Deputy General Manager and the D.C. The General Manager by order dated 14th March 1972 was pleased to dismiss the appeal. The claimant preferred a second appeal to the Vice-Chairman of the Respondent Corpo-

ration. As the way bill and TR-10 Form have been intentionally suppressed by the Claimant, therefore the Vice Chairman was pleased to agree with the findings of the General Manager as regard the intentional suppressing of TR-10 form and way bill and destroying the evidence available against him. Taking humanitarian view of the case in these days of rising price, th Vice-Chairman took pitty on the claimant and appointed him as Helper 'B'.

This court cannot go into the question whether the dismissal is proper. It can not sit in judgement over the quantum of punishment awarded by the employer. It is not true that the Divisional Controller has unlawfully dismissed the claimant. It is not true that the proper procedure was not followed during the course of enquiry held against the claimant. The Respondent has lost confidence of the claimant in his honesty and sincerity. The Respondent believes that the funds of the Respondent Corporation are not safe and secure in the hands of the claimant. It prays that the refrence may be rejected with costs.

4. In support of its case the Respondent Corporation has examined four witnesses. Ex. M-1 to M-15 are the documents filed for it. The claimant has examined himself nor any witnesses. Ex. W-1 is the document filed for him.

5. I have perused the records and heard Sri Ram-Apte, learned advocate for the claimant. Sri A. K. Soudagar learned advocate for the Respondent is not heard.

6. MW-1 is one Sri Krishnaji Ramchandra. He is Inspector KSRTC. He has given evidence that since 11 years he is working as St. Traffic Inspector, Belgaum. In 1969 he was serving in Belgaum Division in the line checking Squad. On 11th October 1969 he had checked the vehicle No. MYF 3267 at Malihal on Belgaum Gajendragad Road. He found that the conductor claimant had not issued

tickets for 7 passengers. According'y he submitted the report Ex. M-1. Mr. D. D. Patil Traffic Inspector was also with him. He has also signed Ex. M-1. On the following day he called upon the claimant to file a statement Ex. M-2 are the tickets issued in his presence to the passengers who were travelling without tickets Ex. M-2 were issued at his instance. Then he called upon the claimant to produce the way bill. On the following day the claimant reported that the way bill had been taken away by the checking staff of Hubli Division. Thereafter he submitted the papers to the Office for further action.

7. In Cross examination he states that according to the passengers they had paid the bus fare to the claimant. The statements of the passengers were recorded. They signed the statement. It is true that if fare amount is collected and tickets are not issued it is pilferage. It is not true that the enquiry Officer found that the claimant had not collected fare amount from the passengers. It is not true that the passengers told him that they had not paid fare amount to the claimant.

8. In Re-examination he states that after the issue of tickets the passengers did not pay the amount to the conductor.

9. MW-2 is one Sri T. Vishwanathan, Divisional Traffic Officer, Mysore Division, KSRTC. He has stated that 1970-71 he was Divisional Traffic Officer at Belgaum. He was appointed as an enquiry Officer in this case. The chargesheet was issued to the claimant. It was issued by Sri Motagi, Divisional Traffic Officer and it is Ex. M-3. Ex. M-4 is the explanation given by the claimant Ex. M-5 are the proceedings of the enquiry. Ex. M-6 are his findings. In the enquiry he was allowed to cross examine the witnesses. He did not produce any witness on his behalf.

10. In cross examination he states that he cannot read Kannada. He started with the preliminary enquiry against the claimant. Then he recorded the statement of reporting Officer. Thereafter he did not record the statement of any body on behalf of the Respondent. It is true that in reply to the chargesheet the claimant had stated that he had not collected the fare amount from the passengers. The checking Officer stated that he had collected. No passengers was examined on behalf of the Corporation. He came to the conclusion that the conductor had not collected the fare amount from the passengers.

11. MW-3 is Doddagowda Patli, Divisional Security Inspector. He has stated that it is true that in 1970 he was working as Divisional Security Inspector at Belgaum. It is true that he was asked by the Divisional Controller to require as to whether the way bill of the claimant of Gajendragad, Belgaum Road on 11th October 1969 was taken away by the checking staff of Hubli Division. He made enquiries. He submitted the confidential report. Ex. M-7. During the enquiry he came to know that the conductor has destroyed the way bill and it was not taken away by any body.

12. In cross examination he states that he do not exactly remember whether he was examined as a witness in the domestic enquiry against the claimant. He did not issue any notice to the claimant about the investigation conducted by him. He has not seen the claimant destroying the way bill. So also nobody told him about the claimant destroying the way bill. The enquiry was conducted confidentially. It is not true that his inference that the conductor claimant destroyed the way bill is not true.

13. MW-4 is Divisional Controller Sri Kamat. He has stated that in June 1969 he was Divisional Controller Belgaum. The claimant was serving as conductor during his regime. It is true that the line checking squad had

checked the bus in which the claimant was the conductor and found ticket irregularities. Ex. M-1 is the report submitted by MW-1. Thereafter he appointed an enquiry Officer. The enquiry Officer submitted his report Ex. M-6 After receipt of the report of the enquiry Officer, he issued a show-cause notice dated 28th September 1970 to the claimant. Ex. M-9 is the office copy of the notice. He issued another notice dated 17th October 1970 fixing the date for personal hearing of the claimant. Ex. M-10 is the office copy of that notice. Ex. M-11 is the reply of the claimant to Ex. M-9. He held further proceedings in pursuance of the show-cause notice. The original of Ex. M-9, Ex. M-12 are the proceedings conducted by him dated 26th October 1970. He afforded him every opportunity to defend himself in the enquiry before him. After going through the report of the enquiry Officer, his impression was that he should not accept the findings of the enquiry Officer on the question of pilferage. Then he again went through the records of the case and also circumstancial evidence. His conclusion was that this conductor has suppressed material evidence *viz* Conductor's way bill and Traffic Form just to escape his liability. He has recorded his findings disagreeing with the findings of the enquiry Officer. His finding are at Ex. M-13. The charges against the claimant were two fold one is pilferage and the other is suppression of material documents. On the representation made by the claimant that the way bill and Traffic Form had been taken away by flying squad of Hubli Division, he contacted the flying squad and also his counter part Hubli. Ex. M-14 is the report dated 28th October 1969 from Security Officer, Hubli intimating that the bus in which the claimant was the conductor had not been checked by them. Ex. M-15 is the letter dated 12th November 1969 written by the Divisional controller, Hubli, in this connection. Whenever a conductor commits default, that fact will be noted in the history sheet of that conductor and also indicating the punishments given to him in each case. Now he has absolutely no confidence in the claimant. It is true that when the conductor is on the bus, the office issues him a way

bill and also tickets. The tickets issued are noted in the way Bill. Way bill is a document wherein the number of passengers who boarded the bus at every stage and number of passengers who elighted at every stage are mentioned and also the tickets issued to the passengers at the end of each stage the way bill is to be closed. The Way bill is the most important document to find out the pilferage. He says that the claimant suppressed the way bill because he had committed default. The Vice-Chairman of the Corporation in 2nd appeal has offered the claimant alternative job of helper 'B'. That post does not involve handling of cash.

14. In cross-examination he states that the first charge against ths claimant is that he failed to issue tickets to 7 passengers and attempted pilferage of Rs. 3.50. The 2nd charge is that he failed to surrender the way bill on completion of his duties with deliberate intention of destroying evidence. He found him guilty on both the charges. It is true that the enquiry Officer found that the claimant was guilty of supression of documents and found that the claimant was guilty of supression of documents and found that the claimant was not guilty of pilferage. It is true on the very next day of the checking of the bus the claimant represented in writing that the way bill had been taken away by the some other checking staff. Ex. W. 1 is the representation given by the claimant. Since 8 years he has been working as Divisiosal Controller. There are 12 divisions of K.S.R.T.C. in the stage. It is true that each division has its own checking squad. In addition there are a regional squad for every region controlled by the Security Officer. It is true that the checking squad of any division, or regional squad of any other region can check any bus any where in the State. It is true that he made enquiries with the Security Squad of Hubli division, and regional Security Squad of Northern area. It is true that he did not make enquiries with the flying squads of other divisions or regions. It is true the claimant has not specifically stated any where that

flying squad of Hubli division, has taken away the way bill and the Traffic form. During the enquiry nobody has stated about his seeing the claimant destroying or tampering with way bill and Traffic Form. He has conducted about 500 enquiries. In his opinion in some cases a person can be found guilty on circumstancial evidence in addition to direct evidence. It is true that there is no direct evidence in this case. It ih not true that because of his prejudice against conductors in general he has found the claimant guilty. The enquiry Officer did not examine any passenger during the enquiry. He also did not examine any passenger. There was no impadement in examining those passengers. But have got their own difficulties. The passengers do not turn up for giving evidence. In this case no attempt was made to secure passengers as witnesses and examine them. It is true that the claimant has denied the allegation of having collected fare amount from the passengers both in reply to the charge sheet and show-cause notice. He again say that passengers were tendering money. According to him the contents of para 3 of Ex. M. 11 now marked as Ex. M. 11(a) amounts to admission on the part of the claimant for having received the fare amount. He acted upon the inspector's report in tddition to the admission made by the claimant. This is all material he replied on. The Inspector's statement in his opinion was proved before the enquiry Officer. He knows that the statement can be proedv only by putting it to the persons who made it and by his stating that the contents were correct. The Inspector has not stated in specific terms that particular document wah his report and its contents were correct. It is true that he took into consideration the past unsatisfactory records of the claimant in awarding punishment. The fact that his past default could be taken into consideration in awarding punishment was not communicated to the claimant. It is not true that he took the decision of dismissing the claimant because of his prejudice against him and his decision was not *bona fide*. He had no personal knowledge of any of the conductors working under him.

15. In Re-examination he states that the regional Security Officer, Hubli has got jurisdiction over 4 districts. It is not practicable for any other Security Officer expecting Hubli division to go and check the bus at Gajendragad. The jurisdiction of each Security Officer is specified.

16. The Respondent has conducted a thorough domestic enquiry against the claimant and after domestic enquiry it has dismissed the claimant. As the claimant was undefended in the enquiry, I proposed to consider whether the charges levelled against the claimant are proved are not.

17. There are 2 charges against the claimant. One is that he had not issued tickets for seven passengers though he had received the fare amount. The 2nd charge is that he destroyed the way bill and TR-10 form to suppress the evidence.

18. First I will take up the 1st charge, *viz.*, that the claimant had not issued tickets to seven passengers though he had collected fare from them. MW 2 Divisional Traffic Officer admits in cross-examination that it is true that in reply to the charge sheet the claimant had stated that he had not collected the fare from the passengers. The checking Officer stated that he had collected. No passengers was examined on behalf of the Corporation. He come to the conclusion that the conductor had not collecting fare amount from the passengers. 'So the enquiry Officer himself has found that the charge of pilferage is not proved against the claiment. In view of this, I must hold that the Respondent has not proved the charge of pilferage against the claimant.

19. The 2nd charge in my opinion, is amply proved. The claimant does not say that he submitted the way bill and TR-10 form to the Office after he returned from Gajendragad. His defence is that those documents were taken away by some flying squad of Hubli Division. Sri

Kamat MW 4 has contacted the Hubli division and has come to know that the Hubli flying squad did not attach and take away the way bill and TR 10 form from the claimant.

17. Sri Ram Apte submits that it may not be flying squad of Hubli division that has taken away the TR 10 form and the way bill. It is some other flying squad in the state. He submits that there are Regional squad and Central Squad and therefore some squad must have taken away the Way bill and TR-10 form. I do not permit Sri Ram Apte to take up this defence. The claimant specifically pleads that Way bill and TR-10 form were taken away by the checking squad of Hubli division. Now he cannot improve upon his stand and take a differest stand altogether stating that some squad either Central or Regional of K.S.R.T.C. must have taken away the Way bill and TR-10 form. I am satisfied that the claimant has destroyed the way bill and TR-10 form purposefully. That charge is amply proved.

18. Was bill and TR-10 form are important documents. If they are destroyed, then the funds of K.S.R.T.C. in the hands of conductors can safely be misappropriated. It is a grave charge and that charge is established. In my opinion the claimant has been rightly dismissed from service. The reference must be rejected.

AWARD

19. The reference is rejected. No costs.

P. L. NARAYANA GOWDA

Hubli,
1-8-1975

Presiding Officer.
Labour Court, Hubli.

ORDER

Bangalore, dated the 17th March, 1975.

S.O. 1055.—WHEREAS by State Government Order No. SWL 629 LLD 73, dated 3rd August 1973 the industrial dispute between the workmen and the management of Karnataka State Road Transport Corporation, Belgaum Division, Belgaum, was referred to the Labour Court, Hubli for adjudication.

AND WHEREAS the Labour Court, Hubli, has submitted to the State Government its award in respect of the said industrial dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above in the *Karnataka Gazette.*

[No. SWL 65 LLA 75].

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Secretariat

Labour Dispute.—Industrial Dispute between the workmen and the management of A.C.C. Ltd., Heavy Engineering, Shahabad, Gulbarga District.

Award of the Presiding Officer, Additional Industrial Tribunal, Bangalore-20 published.

Read the following papers:—

(1) Letter No. AIT/760/74-75, dated 7th/10th March 1975 from Sri G. S. Bhagwat, Presiding Officer, Additional Industrial Tribunal, Bangalore-20.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL, BANGALORE.

Dated: this 7th day of March, 1975

Present

Shri G. S. Bhagwat, B.A., LL.B., .. *Presiding Officer.*

A.I.D. No. 15/1973

I Party :

Workmen of A.C.C. Ltd., Heavy Engineering, Shahabad Gulbarga District, represented by the General Secretary, A.C.C. Shahabad Heavy Engineering Employees' Union, Shahabad, Gulbarga.

Vs.

II Party

(1) The Management of A.C.C. Ltd., Heavy Engineering, Shahabad, Gulbarga District.

(2) Three Contractors :

(i) Sri Shakeel Ahmed, Labour Contractor, A.C.C. Ltd., Heavy Engineering, Shahabad.

(ii) Sri Gulam Mohammed, do

(iii) Sri V. B. Joshi, do

Appearances :

For the I party :

Sri M. Pandu Ranga Rao, General Secretary, A.C.C. Ltd., Heavy Engineering, Shahabad, Gulbarga.

For the II party :

(i) Sri G. S. Ullal, Advocate, Bangalore.

(ii) The Three Contractors.

AWARD

The Government of Mysore, now Karnataka being of opinion that an Industrial Dispute existed between the Workmen and the Management of A.C.C. Ltd., Heavy Engineering Shahabad, Gulbarga District, referred the dispute under Section 10(1) (d) of the Industrial Disputes Act by their Order No. FCL 126 LLD 73, dated 27th April, 1973, for adjudication to this Tribunal on the following points :

"I. Are the workmen of A.C.C. Ltd., Shahabad Heavy Engineering Shahabad, justified in demanding that the wages of the contract labourers should be raised on par with the casual labourers who are engaged in cement works ?

II. If not to what relief are the contract labourers entitled ?"

2. The workmen are represented by the General Secretary, A.C.C. Shahabad Heavy Engineering Employees' Union which shall be hereafter referred to as the I-party, and the Management of A.C.C. Ltd., Heavy Engineering Works, Shahabad, Gulbarga District, is hereafter referred to as the II-party. Parties (i), (ii), (iii), in party are the Contractors, who were impleaded as parties to the proceedings as per the Order passed by this Tribunal on 26th February 1973. Notices were issued to the parties and they were served. The I-party submitted its claim statement on 12th June 1973. The case of the I-party is that the management who engages contract labour has denied payment of proper wage to the poor labour, adopting unfair-labour-practice. The Labour engaged ostensibly through the contractors have invariably to work overtime and are not paid over-time wages. If they demand the just right, they are thrown out of the employment after several years of service. Though the ostensible employers are supposed to be the Contractors, the real employers are the II-party. The II-party controls and supervises their work and it is the II-party which ulti-

mately pays their wages. The contractors are mere dummies and one of the contractors is an erstwhile workman of the company. The contract labour are engaged either in production or work incidental to manufacturing process in the premises of the factory. It is therefore, their case that the contract labour engaged by the II party should be paid wages so as to be on par with 'E' Grade workers or casual workmen engaged by the Cement works.

3. The II party filed its preliminary objections on 18th June 1973 and contended that between the workmen and the contractors and the management of the Company, there is no relationship of employee and employer, that no valid industrial dispute exists between the management of the Company and the workmen of the contractors and hence the reference of the Government is invalid and bad in law.

4. The impleaded contractors have also filed their objections and questioned the validity of the reference.

5. On the above pleadings the following additional issues were set down on 25th February 1974:

(1) Whether this Tribunal has no jurisdiction to adjudicate upon matters connected with Contract labour?

(2) Whether there is no relationship of employee and employer, between the workmen of the Contractors and the management of the company?

(3) Whether there is no valid Industrial Dispute between the management of the company and the workmen of the contractors?

6. When the case came up for hearing on 16th May 1974, W.W.-1 was examined and Exts' W-1, W-2 and W-3 were marked on behalf of the I-party. The II-party and the impleadel contractors all remained absent. The case was then adjourned for further evidence of the I-party and at the request of Shri M. Pandu Ranga Rao, the case was ordered to be posted at Gulbarga Camp for further evidence. On the date fixed for hearing at Gulbarga *i.e.* on 27th February 1975, Sri Shivasharanappa, General Secretary of the I-party Union submitted an application that the I-party's dispute with regard to the workmen

employed by the Contractors of the II-party has been settled out of Court and therefore, there is no surveying dispute for adjudication as in this reference and hence prayed that a No-Dispute Award may be passed. Shri D. M. Mohan Murthy for the II-party has also stated in writing that the management has no objection for passing the No-Dispute Award, as I-party's dispute with regard to the workmen employed by the Contractors of the II-party has been settled out of court.

7. This application was allowed and recorded after being satisfied that it was voluntary and *bonafide*. In view of the settlements of the claim made on behalf of the I-party Union, the dispute referred for adjudication does not survive for adjudication by this Tribunal.

In the circumstances, the reference is disposed of as claim is settled out of Court. Parties to bear their own costs.

Sd./- (G. S. Bhagwat),
Presiding Officer,
Additional Industrial Tribunal, Bangalore.

ORDER No. SWL 67 LLA 75,
Bangalore, dated the 22nd March 1975.

S. O 1057.—

WHEREAS, by State Government Order No. FCL 126 LLD 72, dated 7th April 1973 the industrial dispute between the workmen and the management of A.C.C. Ltd., Heavy Engineering, Shahabad, district Gulbarga, was referred to the Additional Industrial Tribunal, Bangalore, for adjudication.

AND, WHEREAS, the Additional Industrial Tribunal, Bangalore, has submitted to the State Government its award in respect of the said industrial dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazeette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secy. to Govt., S.W. and L. Dept.

HOME SECRETARIAT

Notification No. HD 214 PEG 74 (1)

Bangalore, dated 10th February 1975.

S. O. 1058.—In exercise of the powers conferred by clause (s) of Section 2 of the Code of Criminal Procedure 1973 (Central Act No. 2 of 1974), the Government of Karnataka hereby declares the places mentioned in column (1) of the Table below as Police Stations and specifies the local areas mentioned in the corresponding entries in column (2) thereof as local areas included within those Police Stations :—

TABLE

	(1)	(2)
1	Office of the Bureau of Investigation, Karnataka State, Vigilance Commission, Bangalore.	The entire Karnataka State.
2	Office of the Deputy Superintendent of Police, Bureau of Investigation Karnataka State Vigilance Commission, Bangalore City	(i) Mandya District (ii) The city of Bangalore
3	Office of the Deputy Superintendent Police, Bureau of Investigation Karnataka State, Vigilance Commission Bangalore Division.	(i) Bangalore District other than the city of Bangalore, (ii) Kolar District (iii) Tumkur District (iv) Chitradurga District (v) Shimoga District
4	Office of the Deputy Supritendent of Police, Bureau of Investigation Karnataka State Vigilance Commission Belgaum,	(i) Belgaum District (ii) Bijapur District (iii) Dharwar District (iv) North Kanara District
5	Office of the Deputy Superintendent of Police, Bureau of Investigation Karnataka State Vigilance Commission, Gulbarga.	(i) Gulbarga District (ii) Bidar District (iii) Raichur District (iv) Bellary District
6	Office of the Deputy Superintendent of Police, Bureau of Investigation State Vigilance Commission, Mysore	(i) Mysore District (ii) Hassan District (iii) South Kanara District (iv) Chickmagalur District (v) Coorg District.

By Order and in the name of the Governor of Karnataka,

K. S RAJAGOPAL,

Under Secretary to Government.

Home Department.

HOME SECRETARIAT.

Ordere No. HD 214 PEG 74 (2)

Bangalore, dated 10th February 1975.

S.O. 1059.—In exercise of the powers conferred by the first proviso to sub-section (1) of section 5A of the prevention of Corruption Act 1947 (Central Act II of 1947) the Government of Karnataka hereby authorises all the Inspectors of Police of the Bureau of Investigation, Karnataka State Vigilance Commission, for the purpose of the said proviso.

By Order and in the name of the Governor of Karnataka,

K. S. RAJAGOPAL,

Under Secretary to Government,

2133 *Home Department.*

Home Secretariat

Notification No. HD 38 TMA 75

Bangalore dated 21st February 1975.

S. O 1060.—In exercise of the powers conferred by the Second proviso to sub-rule (1) of Rule 201, of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka being satisfied that the motor vehicles belonging to M/S Prakash Road Lines Private Limited, Bangalore-2 mentioned in the schedule below having an overall length of 29' can be used in public place without any danger to the public safety, hereby exempts the said sub-rule for the purpose of plying it in the State subject to the following conditions:—

1. The vehicle should be plied only on Main roads declared by the District Magistrate,
2. The vehicle should ply without endangering the public safety and public property

SCHEDULE

Tata Goods Vehicle:—

Length	29'				
Chassis	No.	314	050	47	19981
Engine	No.	692	D02	47	20582

By Order and in the name of the Governor of Karnataka,

K. P. Ramakrishna,
Under Secretary to Government,
Home Department.

2237

HOME SECRETARIAT

Notification No. HD 82 PCR 73.

Bangalore, dated 23rd October 1973.

S. O. 1061.—In exercise of the powers conferred by Section 9 of the Indian Christian Marriage Act 18.2 (Central Act. 15, 1872), the Government of Karnataka hereby grants license to Rev, Vara Prasad Rao, St. John's Lutheran Chruch, Gadag Road, Hubli authorising him to grant certificate of marriages to Indian Christians under the said Act, in Karnataka State.

By Order and in the name of the Governor of Karnataka

K. S. L. SASTRY,

1561 *Under Secretary to Government,*
Home Department.

Notification No. HD 69 PCR 74

Bangalore, dated 27th September 1974.

S. O. 1062.—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure 1973 (Central Act 2 of 1974) the Government of Karnataka hereby appoints Srimathi Vatsala Raghavan, I. A. S. probationer as Executive Magistrate in Hubli Sub-Division for the period from 17th October 1974 to 12th December 1974.

By Order and in the name of the Governor of Karnataka

K. S. L. SASTRY,

1107 *Under Secretary to Government,*
Home Department.

HOME SECRETARIAT

Notification No. HD 200 EDC 74

Bangalore, dated 15th October 1974.

S. O 1063.— Concession granted in Notification No. HD 356 EDC 72 dated 4/5th January 1973 will remain in force for a period of Ten years from the date Rectified Spirit is first supplied to M/s. Vijaya Industries, Gandhi Gunj, Bidar.

By Order and in the name of the Governor of Karnataka,

M. P. JAYASHANKARA ARADHYA,
Under Secretary to Government,
Home Department.

1190

HOME SECRETARIAT

ORDER No. HD 1 CNA 75.

Bangalore, dated the 17th January 1975.

S. O.1064—In exercise of the powers conferred by section 12 of the Karnataka Cinemas (Regulation) Act, 1964 (Karnataka Act 23 of 1964), the Government of Karnataka hereby approves for the purpose of the said section the films approved by Government of India specified in the schedule below and directs every licensee under the said Act to exhibit the same at each show before the commencement of feature film.

SCHEDULE

Sl. No.	Title of the film	Length 35mm.	Name of the Applicant	Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
1	2	3	4	5	6
1.	Indian News Review No. 1359,	183.00 Meters	Films Division, Government of India 24 Poddar Road Bombay-26.	Film dealing with news and current events.	
2.	Indian News Review No. 1360	232.00 Meters	do		do
3.	A Noble cause	168.00 Metres	do (F. No. 28/2/74-FP App. 1948)		do
4.	INR No. 1361	145.00 Metres	do		do

5. INR No. 1362	215 00 Metres	do	do
6. INR No. 1363	221 00 Metres	do	do
7. In company of Birds	596 M tres	do	'Educational'
8. Patolas of Patan	287 Metres	do	do
9. A Noble Cause	168 00 Metres	do	do
10. Wed lock	2'6 00 Metres	do (F. No. 28/2/74-GP Appl. 1956.	do
11. INR. No. 1'61' (Sothern Edition)	233 00 Metres	Films Divisi-n Government of India, 24 Poddar Road. Bombay-26.	Film dealing with news and current ev-nts. (For release in Sothern States i. e, Andhra Pradesh Kerala, Mysore and Tamilnadu. (F No. 28/2/74-F(P) App. 1956).

By Order and in the name of the Governor of Karnataka,

K. S. L. SASTRY,
Under Secretary to Government,
Home Department.

HOME SECRETARIAT

Notification No. HD 46 TMA 75.

Bangalore, dated 26th February 1975.

S. O.1065 —In exercise of the powers conferred by the second proviso to sub-rule (1) of rule 201 of the Karnataka Motor Vehicles Rules, 1963; the Government of Karnataka being satisfied that the motor Vehicles belonging to M/s. Ashwin Commercial Corporation, Bangalore-53, mentioned in the Schedule below having an overall length of 29' can be used in public place without any danger to the public safety, hereby exempts the vehicle from the provisions of clause(ii) of the said sub-rule for the purpose of plying it in the State subject to the following conditions :—

1. The vehicle should be plied only on main roads declared by the District Magistrate.

2. The Vehicle should ply without endangering the public safety and public property.

SCHEDULE

Tata Goods Vehicle :—

Length	....		29'		
Cha sis	....	314	050	47	19654.
Engine No.	....	692	D02	47	20225.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

2248

HOME SECRETARIAT

Notification, No. HD 235 TMA 72

Bangalore, dated the 11th November 1974.

S. O. 1066.—

In exercise of the powers conferred by sub-section (1) of Section 36 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Government of Karnataka having regard to the number, nature and size of the tyres attached to the wheels of the transport vehicle (other than a motor cab) specified in column (2) of the Schedule below and their make, model and other relevant considerations and with the approval of the Central Government hereby specifies that the maximum safe laden weight and the maximum safe excle weight of each axle of vehicle shall be as specified in the corresponding entries in columns (3) and (4) thereof :—

Sl. No.	Make and model of Transport vehicle	Maximum laden weight (in Kgs)	Maximum safe axle weight of each axle (in Kgs.)	
			Front Axle	Rear Axle
	Two axle four wheeler trailor manufactured by M/s.Devi-prasad Motor Engineering Works, Gangawati, Raichur.	8000	4000	4000

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,

Under Secretary to Government,
Home Department.

1463

HOME SECRETARIAT

Notification, No. HD 31 PCR 74.

Bangalore, dated 15th February 1975

S. O. 1067.—

In exercise of the powers conferred under sub section (2) of Section 294 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Government of Karnataka hereby prescribes the form appended to this Notification for purposes of the said section.

By Order and in the name of the Governor of Karnataka,

H. VEERABHADRAIAH,
Additional Secretary to Government,
2159 *Home Department.*

FORM

List of Documents *Vide* Sec. 294 (2) Cr. P. C.

In the Court of the.....

Criminal Case No. ..... of 197....

List of Documents Filed on Behalf of Prosecution/Accused

Sl. No.	Description of Documents	By whom filed	Date of filing	Remarks
XX	XX	XX	XX	XX
XX	XX	XX	XX	XX

Signature of Asst. Public Prosecutor/Advocate for the Prosecution/Advocate for Accused.

HOME SECRETARIAT

Notification No. HD 16 TMA 75

Bangalore, dated 21st January 1975.

S.O.1068—In exercise of the power sconferred by rules 316 and 341 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka having been satisfied that the truk-trailer units described in schedule below belonging to Messrs. Kirloskar Electric Company Ltd., Bangalore can be used in public place without any danger to the public safety hereby exempts the said truck-trailor units from the provisions of Rules 249 (1) and 319 of the said rules for purposes of plying from Bangalore to State Border National High Way No. 7 and onto Hosur in Tamil Nadu subject to the following conditions.—

CONDITIONS

1. The Gross Laden Weight of the combination shall not exceed 46302 Kgs. and load on any one axle shall not exceed 10,400 Kgs.

2. The Deputy Commissioner of Police (Traffic) and the Executive Engineer of the concerned Division should be informed well in advance about time and date of the movement of the vehicle and the route proposed to be used.

3. Necessary precautionery measures such as temporary strengthening of culverts and bridges and other precautionery measures as required by the Bangalore City Corporation authorities should be undertaken by Messrs Kirloskar Electric Company at their cost.

4. The Government will not be responsible for any damages that may be sustained by the said vehicle, their contents or occupants, consequent on the movement.

5. All necessary warning signals such as red flags during the day time and red lights during the night shall be

provided for the said vehicles so as to clearly indicate the loading dimensions and periphery.

6. The said vehicles shall be moved without any obstructions and hinderance to the normal traffic.

7. The speed of the vehicle shall not exceed 10 K. Ms per hour.

8. The vehicle should be driven during non-peak hours (*viz*, 10. 00 P. M. to 6 A. M. and 12 NOON to 4 P. M.)

SCHEDULE

Registration No. of the vehicle MYA 7617.

Type of vehicle	Prime Mover Truck	Trailor.
(Make)	Ashok Leyland 680 Power Plus-ALEO-680/2-1974. Chassis No AL 742071 Engine No. ALE 1549	Mahendra Oven Trailer Chassis No.030 T-103 AS
Unladen Weight.	8 40 Kgs	10 000 Kgs.
Maximum Laden weight.	45,720 Kgs.	37,740 Kgs.
Length of Truck Trailor	56 feet.	
Width of the trailer and truck.	8 feet.	
No. of Axles:	4	

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

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FINANCE SECRETARIAT

Notification, No. FD 20 CSE 75.

Bangalore, dated 15th February 1975.

S. O. 1069.— In exercise of the powers conferred by sub-section (2) of Section 17 of the Karnataka Agricultural Income-Tax Act, 1957 (Karnataka Act No. 22 of 1957), and the partial modification of the Notification No. FD 36 CAX 63 dated 21st May 1963 as modified by Notification No FD 479 CSE 64, dated 8th December 1964, read with Notification No. FD 43 CAX 65 dated 20th November 1965 and FD 175 CSE 70, dated 15th May 1970 and FD 193 CSE 71, dated 13th July 1971 in so far as they relate to Agricultural Income-tax Officer, Bijapur Circle, Bijapur and the Agricultural Income Tax Officer, Belgaum, the Government of Karnataka hereby appoints with immediate effect, the Officers specified in column 2 of the Table below to exercise the powers and perform the functions and duties conferred on an Agricultural Income Tax Officer by or under the said Act, in respect of all classes of persons in the areas specified in the corresponding entries in column 3 thereof:—

TABLE

Sl. No.	Designation and Head-quarters.	Area
1	2	3
1.	Agricultural Income Tax Officer, Bijapur.	... Athani Taluk of Belgaum District.
2.	Addnl. Agrl. Income Tax Officer Bijapur.	... Bijapur District
3.	II Addnl. Agrl. Income Tax Officer, Bijapur	... Raibag Taluk of Belgaum District.
4.	Agricultural Income Tax Officer Belgaum.	... Taluk of Belgaum Bailhongal and Khanapur of Belgaum District.
5.	Addnl. Agrl. Income Tax Officer, Belgaum.	... Whole of Chikkodi Taluk
6.	II Addnl Agrl. Income Tax Officer, Belgaum	... Whole of Hukkeri Taluk.

By Order and in the name of the Governor of Karnataka,

T. M. VASUDEVAN,
Under Secretary to Government,
Finance Department.

FINANCE SECRETARIAT

Notification No. FD 2 BFC 75.

Bangalore, dated 27th, March 1975

S. O. 1070.—Under sub-section 3 of Section 4 of the State Financial Corporations Act 1951 the Government of Karnataka with the approval of the Central Government hereby Sanc ion, the issue of addi ional 50.000 shares of Rs. 100 each of the total value of Rs. 50.00 lakhs by the Karnataka State Financial Corporation to be subscribed by the State Government and the Industrial Development Bank of India on a matching basis *viz.* 25,000 shares of Rs 100/ each of the total value of Rs. 25.00 lakhs each. The Karnataka State Financial Corporation is directed to make allotment of these shares accordingly.

Further, the Government of Karnataka fix, with the approval of the Central Government, the minimum annual dividend at the rate of 3½% (three and half percent) per annum and also guarantee the repayment of principal and the payment of annual dividend at the rate as fixed above in terms of section 6 (1) of the State Financial Corporations Act, 1951.

By Order and in the name of the Governor of Karnataka,

S. KRISHNA KUMAR,
Deputy Secretary to Government,
Finance Department.
(Budget and Resources).

2154

FINANCE SECRETARIAT

Order No FD 5 CPC 75.

Bangalore, dated 31st March 1975.

S. O. 1071.—WHEREAS, the Government is satisfied that the net proceeds derived from Housie Game conducted by the Group Captain, H. Q. Training Command, Indian Air Force, Hebbal, Bangalore-6 on 14th, 15th and 16th March 1975 are to be devoted to rehabilitation of widows, dependents, and education of children and many other benovalent activities.

NOW, THEREFORE, in exercise of powers conferred by sub-section (1) of Section 30 of Mysore Lotteries and Prize Competitions Control and Tax Act 1951 (Mysore Act XXVII of 1951), as in force in the State, the Government of Karnataka hereby exempts the said Housie Game from tax leviable under Section 12 of the Act.

By Order and in the name of the Governor of Karnataka

T. M. VASUDEVAN,
Under Secretary to Government,
Finance Department.

Order No. FD 40 CPC 74

Bangalore, dated 21st December 1974.

S. O. 1072—WHEREAS the Government is satisfied that the net proceeds of the Lottery known as "All India Raffle 1975" organised by I.A.F. Benevolent Association and authorised by Central Government and Delhi Administration are to be devoted to a charitable purpose namely to relieve hardship or distress to those disabled by flying and other charities.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 30 of the Karnataka Lotteries and Prize Competitions Control and Tax Act, 1951 (Mysore Act XXVII of 1951), as in force in the Karnataka area, the Government of Karnataka hereby exempts the said Lottery from all the provisions of the said act.

By Order and in the name of the Governor of Karnataka

T. M. VASUDEVAN,
Under Secretary to Government,

FINANCE SECRETARIAT

Order No. FD 3 CPC 75.

Bangalore dated 14th February 1975.

S. O. 1078— WHEREAS the Government is satisfied that the net proceeds of the raffle organised by the Madras Engineering Group and Centre during 1975 are to be devoted to a Charitable purpose namely to relieve the distress of the Jawans and their families and other charities.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 30 of the Karnataka Lotteries and Prize Competitions Control and Tax Act, 1951 (Mysore Act XXVII of 1951), as in force in the Karnataka area, the Government of Karnataka hereby exempts the said Lottery from all the provisions of the said Act.

By order and in the name of the Governor of Karnataka,

T. M. VASUDEVAN,

2204 *Under Secretary to Government,*
Finance Department.

FINANCE SECRETARIAT

Notification No. FD. 89 CSE. 75.

Bangalore, dated the 22nd March, 1975.

S. O. 1074.—In exercise of the powers conferred by sub-section (2) of Section 17 of the Karnataka Agricultural Income Tax Act, 1957 (Karnataka Act No. 22 of 1957), and in partial modification of the Notification No. FD 226 CSE 69, dated 22nd May 1969, in so far as it relates to the Agricultural Income Tax Officer, Chitradurga, the Government of Karnataka, hereby appoints, with immediate effect, the officers specified in column (2) of the Table below to exercise the powers and perform the functions and duties respectively conferred on an Agricultural Income Tax Officer, by or under the said Act in respect of all classes of persons in the areas specified in the corresponding entries in column (3) thereof.

TABLE

Sl No.	Designation and Headquarters.	Area
1.	Additional Agricultural Income Tax Officer, Chitradurga.	Taluk of Chitradurga, Davanagere, Harihara and Hiriyur of Chitradurga District.
2.	Agricultural Income Tax Officer, Chitradurga.	The remaining taluks of Chitradurga District.

By Order and in the name of the Governor of Karnataka

T. M. VASUDEVAN

2451 *Under Secretary to Government,*
Finance Department.

FINANCE SECRETARIAT

Notification No. FD 117 CSE 75.

Bangalore, dated.....March, 1975.

S. O. 1075 — AND WHEREAS, the Government of Karnataka considers it necessary that with a view to prevent or check evasion of Sales Tax under the Karnataka Sales Tax Act, 1957 (Karnataka Act No 25 of 1957), in Davanagere City in Karnataka State, it is necessary to direct the establishment of checkpost or the erection of a barrier, or both.

NOW, THEREFORE in exercise of the powers conferred by sub section (1) of Section 28-A of the said Act and in partial modification of Notification No. FD 76 CSE 65, dated 4th December 1967, in so far as it relates to the establishment of checkposts at Mile 165 near Shanker Textile Mills, Davanagere, on Bangalore-Poona Road, the Government of Karnataka hereby direct the establishment of checkpost or the errection of barrier or both at a place specified below, namely :—

Chitradurga District.

At K.M. 280-281 on N. H. 4 at Inter-Section of N. H 4 and New Bridge Road leading to Shimoga.

By Order and in the name of the Governor of Karnataka,

T. M. VASUDEVAN,
Under Secretary to Government,
2450 *Finance Department.*

FINANCE SECRETARIAT

Notification, No. FD 118 CSE 75.

Bangalore, dated 24th March 1975.

S. O. 1076.—In exercise of the powers conferred by clause (a) of sub-section 2 of Section 3-B of the Karnataka Sales Tax Act, 1957, the Government of Karnataka, hereby directs that the Assistant Commissioner of Commercial Taxes (Headquarters), Bangalore shall exercise the powers conferred on the post and for performing by virtue of his office, the functions assigned to him or under the said Act with headquarters at Bangalore, within the limits of Bangalore City Corporation.

By Order and in the name of the Governor of Karnataka,

T. M. VASUDEVAN,

2441 *Under Secretary to Government,*
Finance Department.

Notification No. FD 8 BFC 74

Bangalore, dated 6th December 1974.

S. O. 1077—In pursuance of sub-section (1) of section 7 of the State Financial Corporation Act, 1951 (1) (63 of 1951) the State Government of Karnataka on the recommendation of the Board of Director of the Karnataka State Financial Corporation based on the advice of the Reserve Bank of India, hereby fixes nine percent per annum as the rate of interest payable on the Bonds for Rs. 50,00,000 (Rupees fifty lakhs only) to be issued by the said Corporation in December 1974 and maturing on the 25th December 1975.

By Order and in the name of the Governor of Karnataka,

S. KRISHNA KUMAR,

Deputy Secretary to Government,
1622 *Finance Department (B. & R).*

FINANCE SECRETARIAT

Notification No. FD 77 RFC 73.

Bangalore, dated 25th September 1974.

S. O. 1078 —In exercise of the powers conferred by Clause (2) of Article 283 of the Constitution of India, the Governor of Karnataka hereby makes the following rules further to amend the Karnataka Financial Code, 1958, namely.—

1. Title :—These rules may be called the Karnataka Financial Code (Fourth Amendment) Rules, 1974.

2. Amendment to Article 174 (P-178) :—

Insert :—the following as a 'Note' below the last para of the above Article

"Note :—The Assistant Engineers and Executive Engineers in charge of a Sub-division/a division shall furnish a certificate along with their pay bills or the months of June and December to the effect that the Log Books and History Registers of Machinery have been brought up to date. Without such a certificate their pay bills for the months of June and December shall not be honoured by the Treasury Officere".

By Order and in the name of the Governor of Karnataka,

J. VASUDEVAN,
Deputy Secretary to Government,
Finance Department.

1688

FINANCE SECRETARIAT

Notification No. FD 35 RFC 73.

Bangalore, dated 5th November 1974.

S. O.1079.—In exercise of the powers conferred by Clause (2) of Article 233 of the Constitution of India, the Governor of Karnataka hereby makes the following rules further to amend the Karnataka Financial Code, 1958, namely,—

1. **Title**:—These rules may be called the Karnataka Financial Code (Fifth Amendment) Rules, 1974.

2. Amendment to the 'Note' below Article 194 (P. 197-198) :—

(a) The words Penal Interest' shall be substituted for the words "Penal Portion of Interest" appearing in lines 2 and 3 of the 'Note'.

(b) The sentence beginning with the words "In other words.....and ending with the words..... .....hould be waived" appearing at the end of the 'Note' shall be deleted.

By Order and in the name of the Governor of Karnataka,

934

J. VASUDEVAN,
Deputy Secretary to Government.
Finance Department.

1687

FOOD AND FOREST SECRETARIAT

Order No. FCS 6 FCS 75

Bangalore dated 4th February 1975.

S.O 1080.— In exercise of the powers conferred by clause 7 of the Kerosene(Fixation of Ce ling Prices)Order, 1970 the Government of Karnataka, here by authorises the officers specified in the Schedule mentioned below to exercise the powers conferred under the said clause within the State of Karnataka, in addition to the Officers previously empowered in this behalf.

SCHE

1. Assistant Commissioner (Flying Squad Department of Food and Civil Supplies.
2. Food Inspectors, attached to the Flying Squad Dept. of Food and Civil Supplies.

By Order and in the name of the Governor of Karnataka,

M. D. GOVINDARAJ,

2103 *Under Secretary to Government,*
Food and Forest Department.

REVENUE SECRETARIAT

Notification No. RD 166 AQW 73.

Bangalore, dated 18th December 1974.

S. O. 1031—WHEREAS in exercise of the powers conferred by sub-section (1) of section 7 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (Central Act 30 of 1952), the immovable property specified in the Schedule below in Jarakabandekaval Village, Bangalore North Taluk, Bangalore District was acquired under the said Act;

AND WHEREAS no agreement can be reached regarding the amount of compensation payable under the said Act,

NOW, THEREFORE, in exercise of the powers conferred by Clause (b) of sub-section (1) of the section 8 of the Requisitioning and Acquisition of Immovable property Act, 1952, (Central Act 30 of 1952) read with Notification No. SRO 2519 dated 24th May 1957 of the Government of India, the Government of Karnataka hereby appoint Sri P. Subramanyam, Retired District Judge, Bangalore, as an Arbitrator for the purpose of the said section.

SCHEDULE

Requisition of Immovable Properties order No. and date	Name of the village	Survey Number	Extent Ac. Gun	Name of the person interested in the property.
MIL/LAQ (3) LAC 21s/72-73	Jarakabande Kaval Bangalore North	17 Dry put Kharab	1-37 0-03	K. Muniswamappa S/o Kempaiah.
			2-00	

By Order and in the name of the Governor of Karnataka,

V. GOVINDARAJ,
Under Secretary to Government,
Revenue Department.

REVENUE SECRETARIAT

Notification No RDN 4 TSR 74.

Bangalore dated 10th February 1975.

S. O. 1082—WHEREAS the Government of Karnataka, on consideration of the report of the Deputy Commissioner, Dharwar District, Dharwar is of the opinion that it is necessary to remove rural unemployment in certain areas of the said district.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 37 of the Karnataka Land Improvement Act, 1961, (Karnataka Act No. 6 of 1962), the Government of Karnataka hereby declares that it is necessary to remove rural unemployment in Dharwar District, in the villages specified in column 3 of the Schedule annexed hereto situated in the Taluks specified in the corresponding entry in column 2 thereof :—

SCHEDULE

Sl. No.	Taluk	Villages			
1	2	3			
1	Hangal	1	Masanakatti		
		2	Valgeri	19	Maharajpeth
		3	Neeralgi	20	Nellihbed
		4	Ramapur	21	Shirajpur
		5	Harvi	22	Mirmbid
		6	Hadaragori	23	Adur
		7	Kudal	24	Sankripur
		8	Karimellihalli	25	Vardi
		9	Hosur	26	M. Hosur
		10	Allapur	27	Kodiyellapur
		11	Naragal	28	Singapur
		12	Hosaladakatti	29	Havasi
		13	Knokallapur	30	Kalvekallapur
		14	Hombali	31	Arsleswar
		15	Bingapur	32	Channapur
		16	Dyamankop	33	Jakkanavankop
		17	Alad katti	34	Shigihalli
		18	Belagalpeth	35	Balamabid

1	2	3		
2	Kalaghatgi	1	Dummad	14	Shivapur
		2	Neerasagar	15	Kalaghatgi
		3	Devalingikop	16	Naganur
		4	Dasour	17	Parsapur
		5	Gambhapur	18	Dyamapur
		6	Linganakop	19	Hulkatti
		7	Harogeri	2	Surshettikop
		8	Kannenaikankop	21	Kurarkop
		9	Chalamatti	22	B. Gudinal
		10	Kadarkop	23	Uggunkeri
		11	Sangdevarkop	24	Madaklihonnihalli
		12	Ramanal	25	Hirelonnihalli
		13	Belvantra	26	Tabakad Honnihalli
3.	Navalgund	1	Hallikeri	5	Kittur
		2	Kondikop	6	Adhur
		3	Saswanhalli	7	Ibrahimpur
		4	Majjigudda	8	Saidpur
4	Ron	1	Hiremannur	8	S. Belleri
		2	Yavagal	9	Hole-Hadagali
		3	Belavanaki	10	Baslapur
		4	Malapur	11	Dy munshi
		5	Honnapur	12	Kalakapur
		6	Somankatti	13	Honnigapur
		7	Basarkod		

By Order and in the name of the Governor of Karnataka,

G. VEERUPAKSHAYYA,
Under Secretary to Government,
Revenue Department, (Scarcity).

2147

REVENUE SECRETARIAT

Notification No. RD 67 TRM 74

Bangalore, dated 11th December 1974.

S. O.1083 —Whereas there is failure of crops in the villages specified in column (2) of the schedule below, owing to inadequate rainlfall during 1968-69 and the average crop-wise yield per acre is less than 50 percent in (19) villages and 37 percent in 7 villages in the Chikodi Taluk. Therefore Land Revenue to the extent of 50% in 19 villages and 100% in 7 villages was suspended.

And whereas the Government of Karnataka considered it necessary to remit the whole of the suspended land revenue payable for the year 1968-69 in respect of lands in the said villages; of Chikodi Taluk.

Now, therefore, in exercise of the powers conferred by item (i) of sub-section (1) of Section 194 of the Karnataka Land Revenue Act 1964 (Karnataka Act 12 of 1964) read with Rule 147-D(2) of the K.L.R. Rules, the Government of Karnataka, hereby remits the whole of the suspended land revenue of Rs. 137418-39 payable for the year 1968-69 in respect of the lands in villages specified in column (2) of the Schedule below situated in Chikodi Taluk of Belgaum District.

SCHEDULE

Sl. No.	Village		Land Revenue amount suspended
1	2		3
1	Ankali	...	9,966 61
2	Chikodi	...	2,057-12
3	Nagaral	...	3,414-81
4	Karochi	...	4,169-46
5	Majalatti	...	63 -98
6	Wadral	...	543-14
7	Kungtolli	...	978 06
8	Benihalli	...	979-51
9	Umarnai	...	2,588 42
10	Itnal	...	1,092-91
11	Mamadapur K K.	...	937-93
12	Mugali		1,272-64
13	Khajagoudanhatti	...	275-32
14	Karagaon	...	1,778-63
15	Bambalwap	...	1,467-08
16	Donawad	...	1,470-66
17	Belkud	...	1,900-13
18	Hanchinal K.K.	...	1,715-78
19	Belegali	...	68 -83
20	Kadapur	...	10,603-86
21	Kerur	...	34,963-85
22	Hirekudi	...	20,907-74
23	Jookurli	...	3,941-03
24	Kabbur	...	20,558-97
25	Nagarmunoli	...	6,171- 8
26	Vijayanagar	...	2,972-62
		Grand Total ...	1,37,418-39

By Order and in the name of the Governor of Karnataka,

G. VEERUPAKSHAYYA,
Under Secretary to Government,
Revenue Department.

1697

REVENUE SECRETARIAT

Notification No. RD 62 TRM 74.

Bangalore, dated 11th November 1974

S. O. 1084 —Whereas there is failure of crops in the villages specified in column (2) of the schedule below, owing to inadequate rainfall and the average crop-wise yield per acre is less than twenty five per cent in the said villages; due to drought situation during the year 1971-72,

And whereas the Government of Karnataka considered it necessary to remit the whole of the land revenue payable for the year 1971-72 in respect of lands in the said villages;

Now, therefore, in exercise of the powers conferred by items (ii) of sub-section (1) of Section 194 of the Karnataka Land Revenue Act, 1964, (Karnataka Act 12 of 1964) the Government of Karnataka, hereby remits the whole of the land revenue of Rs. 1,49 034-16 payable for the year 1971-72 in respect of the lands in the villages specified in column (2 of the Schedule below situated in Bidar Taluk of Bidar District.

SCHEDULE

Sl. No.	Village	Amount of Land Revenue
1	2	3
	JANAWADA CIRCLE	
1. Janawada	1. Nemtabad	140-85
	2. Sanavi	1577-74
	3. Yernalli (P)	3[illegible]-78
	4. Yernalli (D)	3[illegible]-43
	5. Islampur	3766-33

1	2		3
	6	B a rnalli (D)	1139-71
	7.	Ali mber	4424-55
	8.	Nav l spur	1712-44
	9.	Hipp lg on	2317-45
	10.	S dda ur	645 12
	11.	Gumtapur	137-23
	12.	J naw da	3512 31
	13.	Bom a li	1862-70
	14	Srim dal	3365-34
	15.	Ch mbol	6146-19
2. Indi r	16.	Nandag on	4 3 78
	17.	Kh japur	727 25
	18.	R soomabad	187- 2
	19.	Gad gi	294 49
	20.	Kathe ur	293-76
	21.	B svanth pur	1618-74
	22.	M rzapur (K)	1224-20
	23.	Malegaon	4401-42
	24.	Kapl pur (M)	133 -47
	25.	Ghun ma	727-79
	26.	Chimkod	4461-48
	27.	A d lp d	117 -08
	28.	Chill rgi	11914-15
	29.	Jampad	34 4-54
	30.	Kan athi	1491- 4
	31.	Sul anpur (K)	878-41
3. Bidar (South)	32.	Malk pur	934-09
		S hhpur	247 13
	34.	Gullar Havelli	554-14
4. Bagdal	35.	Hajj rgi	1243 97
	36.	K dwad	1 19-08
	37.	N dwancha	1461- 5
	38.	Sirkatnalli	11286-30
	39.	Patarpalli	124 -83
	40.	Nelwad	617- J
	41.	Shamshanagar	726-65
	42.	Mal k M rzapur	1383 6
	43.	Madaknalli	1672-34
	44.	Bh rna li (C)	6 6- 3

1	2		3
	45.	Shaikapur	869-03
	46.	Khasimpur (P)	89 -48
	47.	Bawagi	1445-57
	48.	Baridabad	495-47
	49.	Chatnalli	81[illegible]-30
	50.	Kangankot	318-13
	51.	Honnaddi	713-[illegible]3
	52.	Sangolgi	38 2-88
	53.	Ranjolkheni	7477-47
	54.	Khasimpur (C)	72[illegible]-56
	55.	Aurad	4551-20
	56.	Bagdal	5617-56
	57.	Huchaknalli	12[illegible]8-60
	58.	Sirsi	3100-91
5. Manhalli	59.	Manhalli	723-03
	60.	Satoli	482-15
	61.	Budhera	755-19
	62.	R kulgi	3316-35
	63.	Bhanoor	811-93
	64.	Tadpalli	408-05
	65.	Rajgira	26[illegible]1-59
	66.	Mogdal	122[illegible]-35
	67.	Hokarana (K)	1095-83
	68.	Hokarana (B)	1372-02
	69.	Gouspur	[illegible]51-53
	70.	Bapur	661-37
	71.	Markunda	3 68-83
	72.	Baroor	2480-35
	73.	Bombalgi	1[illegible]68-82
	74.	Khadarnagar	1272-32
6. Kamthana	75.	Sucunderapur	1589-3[illegible]
	76.	Honnekeri	546-1[illegible]
	77.	Andoora	715-[illegible]3
	78.	Kamthana	3084-50
		Grand Total :	1,49,034-16

By Order and in the name of the Governor of Karnataka,

G. VEERUPAKSHAYYA,
Under Secretary to Government
Revenue Department.

1444

REVENUE SECRETARIAT

Notification No. RD 64 TRM 74

Bangalore, dated 13th January 1975.

S. O.1085.—WHEREAS, there is failure of crops in the villages specified in column (2) of the Schedule below, owing to inadequate rainfall and the average crop-wise yield per acre is less than thirty seven per cent in 28 villages; and less than 50 per cent in 4 villages of Athani Taluk during 1968-69, therefore the entire land revenue of 28 villages and 50 per cent Land Revenue in 4 villages was suspended. The same could not be recovered during subsequent two years as the average yield in these years, was less than 62 percent.

AND WHEREAS the Government of Karnataka considered it necessary to remit the whole of the suspended land revenue payable for one year 1968-69 in respect of lands in the said villages of Athani Taluk.

NOW, THEREFORE, in exercise of the powers conferred by item (ii) of sub-section (1) of Section 194 of the Karnataka Land Rand Revenue Act, 1964 (Karnataka Act 12 of 1964) read with Rule 1947-D of the Karnataka Land Revenue Rules, the Government of Karnataka hereby remits the whole of the suspended land revenue of Rs. 1,97,089-52 payable for the year 1968-69 in respect of of the lands in the villages specified in column (2) of the Schedule below situated in Athani Taluk of Belgaum District.

SCHEDULE

Sl. No.	Villages.		Amount of land Revenue.
(1)	(2)		(2)
1	Lokar	...	9,135-20
2	Bomnal	...	2,113-64
3	Gundewadi	...	6,587-62
4	Sambargi	...	6,197-79
5	Kallodi	...	2,277-41
6	Abbihal	...	726-44
7	Badachi	...	2,944-35
8	Kannal	...	1,9. 9-04
9	Badgi	...	2,346-83
10	Halolli	...	2,429-07
11	Adhalli	...	1,976-83
12	Kohalli	...	5,991-96
13	Mangsali	...	4,026-81
14	Madabhavi	...	24,696-67
15	Hanausapwe	...	1,102-80
16	Jambagi	...	3,462-14
17	Ghamkeri	...	4,407-55
18	Katgeri	...	2,368-85
19	Yekkeri	...	1,355-25
20	Ramteerth	...	773-92
21	Aigali	...	8,451-19
22	Yalihada	...	8,757-76
23	Artal	...	2,227-14
24	Ugar B. K.	...	16,248-69
25	Balligeri	...	12,690-23
26	Kagwad	...	20,960-55
27	Shedbal	...	19,657-91
28	Kiranagi	...	6,841-41
29	Navalihal	...	2,590-33
30	Pardhanalli	...	6,611-13
31	Anantpur	...	8,762-23
32	Aralihatti	...	1,729-78
		Total Rs.	1,97,089-52

By Order and in the name of the Governor of Karnataka

G. VEERUPAKSHAYYA,
Under Secretary to Government,
Revenue Department.

REVENUE SECRETARIAT

Notification No. RD 43 TRM 74

Bangalore, dated 7th December 1974.

S. O.1086.—Whereas there is failure of crops in the villages specified in column (2) of the schedule below. owing to inadequate rainfall and the average crop-wise yield per acre was less than 37% and not less than 25% in these 35 villages of Nargund Taluk during 196667. therefore the Land Revenue recovery was suspended pertaining to these villages, and the same could not be recovered during subsequent three years, as the average cropwise yield per acre was less than 75% during these three years.

And whereas the Government of Karnataka considered it necessary to remit the whole of the suspended land revenue payable for the year 1966-67 in respect of lands in the said villages of Nargund Taluk.

Now, therefore, in exercise of the powers conferred by item (ii) of sub-section (1) of Section 194 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) read with Rule 147 D (1) of the Karnataka Land Revenue Rules, the Government of Karnataka, hereby remits the whole of the suspended land revenue of Rs. 1,51,749-88 payable for the year 1966-67 in respect of the lands in these 35 villages specified in column (2) of the Schedule below situated in Nargund Taluk of Dharwar District.

SCHEDULE

Sl. No.	Name of the Village		Amount of Land Revenue
1	Arban	...	2,442-57
2	Banahatti	...	3,114-25
3	Dandapur	...	7,183-16
4	Gurlakatti	...	2,543-78
5	Hunashikatti	...	4,558-17
6	Jagapur	...	4,980-60
7	Kalkeri	...	4,173-02
8	Kanakikop	...	4,496-96
9	Mugnur	...	4,005-68
10	Kasaba	...	4,821-64
11	Peth	...	4,051-61
12	Sunkadal	...	3,999-38
13	Shiddapu	...	1,552-24
14	Somapur	...	11,011-81
15	Arishingodi	...	2,449-90
16	Bhiaranhatti	...	2,396-39
17	Budihal	...	848-22
18	Benakanakop	...	2,875-80
19	Kappali	...	2,481-54
20	Hirekop	...	8,476-44
21	Khanapur	...	2,109-08
22	Konnur	...	16,859-79
23	Kurlageri	...	2,377 76
24	Lakampur	...	328-52
25	Madagunki	...	3,921-56
26	Reddarnagnur	...	4,110-19
27	Shirol	...	3,631-14
28	Wasan	...	3,188-57
29	Belleri	...	1,679-77
20	Gangapur	...	1,021-00
31	Kurogovinkop	...	1,514-11
32	Chikkanargund	...	4,539-72
33	Hadli	...	13,850-81
34	Kallapur	...	3,679-94
35	Surkod	...	7,555-36
		Total : Rs.	1,51,749-88

By Order and in the name of the Governor of Karnataka,

G. VEERUPAKSHAYYA,
Under Secretary to Government,
Revenue Department.

SOCIAL WELFARE AND LABOUR SECT

Notification No. SWL 220 LSI 71.

Bangalore, dated 31st October 19[illegible]

S. O. 1087—In exercise of the powers conferred by Section 88 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948), the Government of Karnataka hereby exempts the employees of M/s. Bangalore Dairy, Bangalore, whose names are indicated in column (2) of the table below for the period specified in the corresponding entries in column (4) thereof from the operation of the said Act thereof, subject to the conditions that :—

1. The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees ;

2. Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of contributions paid prior to the date from which the exemption granted by this Notification operates ;

3. The contributions paid by the employees during the period prior to the date from which the exemption granted by this Notification operates shall not be refundable.

TABLE

Sl. No.	Name	Designation	Exempted From	Exempted To
	Sriyuths:—			
1	N. Viswanatha Setty	I Dn. Clerk	22-4-70	31-5-74
2	G. Rangappa	II do	17-8-70	31-5-74
3	Choodaiah	I do	1-4-61	31-5-74
4	T. S. Kariyappa	I do	1-4-69	31- -74
5	A. Channaiah	I do	1-4-69	31-5-74
6	S Seshadri	I do	1-4-69	31-5-74
7	K. S. Hanumanthaiah	I/c Security Officer	1-4-69	22-5-73
8	H. N. Shivanandaiah	I Dn. Clerk	22-3-72	31-5-74
9	Y. K. Shivashankar	Asst. Chargeman	18-4-69	31-5-74
10	T. Giriyappa	Refrigerator Operator	9-4-69	31-5-74
11	N. Narayanappa	Fireman	1-4-69	31-5-74
12	K. Rudrappa	Watchman	1-4-69	31-5-74
13	M Muniswamy	Sweeper	1-4-69	31-5-74
14	Lakshmaiah	Helper	1-4-69	31-5-74
15	L. Seerappa	Part-time Salesman	1-8-71	31-5-74
16	V Venkataraju	Cleaner	1-4-69	31-5-74
17	T. Basavaiah	Jr.Dairy Operator	1-4-69	31-5-74
18	M. Venkatesh	Fireman	1-4-69	31-5-74
19	T R. Ramachandra Rao	Jr.Dairy Operator	1-4-69	31-5-74
20	B. Siddaiah	Inspector	1-4-69	31-5-74
21	A. Susairaj	Boiler Attendant	1-4-69	31-5-74
22	T. K. Shankarappa	Sweeper	1-4-69	31-5-74
23	Hunumaiah	Sweeper	1-4-69	31-5-74
24	Achandra Bopaiah	Milk Tester	1-4-69	31-5-74
25	B. G Thimmaiah	Fireman	1-1-71	31-5-74
26	C. Viswanatha	Lab. Assistant	1-4-69	3 -5-74
27	Linga Reddy.	Helper	1-4-69	31-5-74
28	A Anthony.	Boiler Attendant	1-4-69	31-5-74
29	H. S. Jagadeswarachar	Inspector	29-8-70	31-5-74
30	D. Giriyappa	Boiler Attandant	1-4-69	31-5-74
31	Chikkanna	Part-time Salesman	1-8-71	31-5 74
32	Gorara Mallappa	Lab. Assistant	1-12-71	31-5-74
33	K M Munihuchaiah	Milk Tester	1-9-72	31-5-74
34	C. R. Srinath	Extn. Work	1-9-72	31-5-74
35	G. Channabasavaradhya	U. L. O.	1-4-69	31-5-74
36	A. Nanjundaiah	Lab Assistant	1-12-71	31-5-74

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA.

Under Secretary to Government,

Social Welfare and Labour Department.

SOCIAL WELFARE AND LABOUR SECRETARIAT

Notification No. SWL 61 LFB 73.

Bangalore, dated 12th March 1975.

S.O. 1088—The draft of the following rules which the Government of Karnataka proposes to make in exercise of the powers conferred by Section 29 of the Indian Boilers Act, 1923 (5 of 1923) is hereby published as required by Section 31 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 27th June 1975.

Any objection or suggestion which may be received from any person in respect of the said draft before the date specified above will be considered by Government. Objections or suggestions may be addressed to the Secretary to Government of Karnataka, Social Welfare and Labour Department.

DRAFT RULES

1. Short Title and Commencement:—(1) These rules may be called the Karnataka Boiler (Amendment) Rules, 1975.

(2) They shall come into force on the date of their publication in the Gazette.

2. Amendment of Rule 6:—For the scale of fees specified below sub-rule (i) of the Karnataka Boiler Rules

1969, the following scales of fees may be substituted, namely :

SCALE OF FEES .

				Sq. Mtrs.	Rs.
1	For Boiler rating not exceeding			10	90
2	For Boiler rating exceeding	10	but not exceeding	25	115
3	do	25	do	50	140
4	do	50	do	75	160
5	do	75	do	100	180
6	do	100	do	150	225
7	do	150	do	200	260
8	do	200	do	400	300
9	do	400	do	600	320
10	do	600	do	800	360
11	do	800	do	1000	420
12	do	1000	do	1200	500
13	do	1200	do	1400	540
14	do	1400	do	1600	600
15	do	1600	do	1800	660
16	do	1800	do	2000	720
17	do	2000	do	2200	780
18	do	2200	do	2400	840
19	do	2400	do	2600	900
20	do.	2600	do	2800	960
21	do	2800	do	3000	1020

* In respect of Boiler Rating exceeding 3000 mtrs. an addition a fee of rupees twenty for every 200 Sq. mtrs. or part thereof shall be charged.

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
2351 *Social Welfare and Labour Department.*

PUBLIC WORKS AND ELECTRICITY SECRETARIAT.

CORRIGENDUM No. PWD 55 PMT 69.

Bangalore, dated 10th December 1974.

S. O. 1089.—In Notification No. S.O. 1669 (PWD 55 PMT. 69) dated 14th February, 1974 published at page 3429 in part IV 2C (ii) of the *Karnataka Gazette* dated 26th September, 1974, for the figures and brackets "24 (1)" and "(2)" read "24 (1-a)" and "(1-b)" respectively.

By Order and in the name of the Governor of Karnataka,

L. RAMACHANDRAIAH,
Under Secretary to Government,
1690 *Public Works and Elecy., Department.,*

PUBLIC WORKS AND ELECTRICITY SECRETARIAT.

Notification No. PWD 27 PMT 73

Bangalore, dated 18th November 1974.

S. O. 1090.—In exercise of the powers conferred by sub-section (1) of Section 47 of the Mangalore Port Trust Act 1953 (Madras Act XV of 1953) the Government Karnataka hereby sanctions from the date of the Notification, the following amendment proposed by the Board of Trustees of the Port of Mangalore to the Schedule of Rates of rents on Lands with the limits of the Port of Mangalore contained in Madras Public Works (Marine) Department Notification No. 36 dated 12th May, 1955 published at pages 1138 to 1146 of Part I of the Fort St. George Gazette dated 3rd August 1955 of the Government of Madras as subsequently amended *viz.*,

AMENDMENT

Add the following as item (iv) (d) after item No. (iv) (c) under Part I of Schedule 'E'.

II. Lands on the Sandspit.	Rate of rent per unit of 10 sq-mtrs. or part thereof.
(a) x x	x
(b) x x	x
(c) x x	x
(d) Occupations for social, cultural educational, recreational and religious purposes.	Re. 0-06 ½

By Order and in the name of the Governor Karnataka

L. RAMACHANDRAIAH,

Under Secretary to Government,

1475 *Public Work and Elecy. Department.*

PUBLIC WORKS AND ELECTRICITY SECRETARIAT

Notification No. PWD 40 EBS 70.

Bangalore, dated 18th March 1975.

S.O.1091.—WHEREAS the Karnataka Electricity Board was constituted with effect from 30th September, 1957 and notices were issued to the personnel of the erstwhile Electricity Department to express their willingness to serve under the said Karnataka Electricity Board or otherwise:

WHEREAS the official specified in column 2 of the schedule below has expressed his willingness to serve under the Karnataka Electricity Board with effect from 30th September, 1957 and whereas the Karnataka Electricity Board has agreed to take him as its employee.

NOW, THEREFORE, Government of Karnataka hereby direct that with effect from 30th September 1957, the services of the official specified in column 2 bearing description given in column 3 be and deemed to be, transferred to the Karnataka Electricity Board in the correspondinig post specificd in column 4 thereof and that on and from the said date the said official shall cease to be person in the services of the State Government.

Sl. No.	Name	Designation as on 30-9-57	Designation
1	Sri. H. M. Devadanam	II Grade Clerk.	II Grade clerk

By Order and in the name of the Governor of Karnataka

BHIMRAO

Deputy Secretary to Government,
P.W.D. & Electricity Department.

2371

GOVERNER'S SECRETARIAT

Notification, No. GS 6 KUM 75.

Bangalore, dated 29th April 1975.

S. O. 1096—In exercise of the powers vested in him under sub-section (2) of Section 10 of the Karnatak University Act, 1949, the Chancellor is pleased to appoint Dr. R. C. Hiremath, Acting Vice-Chancellor, Karnatak University, to be the Vice-Chancellor of the Karnatak University, Dharwar, for a period of three years with immediate effect.

By Order

G. V. VISWANATH,

149 *Secretary to Governor.*

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 40 TML 74

Bangalore, dated 29th April 1975.

S. O. 1097—In exercise of the powers conferred under sub-section (1) of Section 350 of the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964) the Government of Karnataka has been pleased to extend the term of the Members of the 'Notified Area Committee; New Town, Bhadrawathi', Shimoga District constituted in Notification No. HMA 78 TML 69, dated 23rd November 1972 further period of three months with effect from 1st March 1975.

By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA,

Under Secretary to Government,

150 *Health and Municipal Admn. Department.*

GOVERNER'S SECRETARIAT

Notification, No. GS 6 KUM 75.

Bangalore, dated 29th April 1975.

S. O. 1096—In exercise of the powers vested in him under sub-section (2) of Section 10 of the Karnatak University Act, 1949, the Chancellor is pleased to appoint Dr. R. C. Hiremath, Acting Vice-Chancellor, Karnatak University, to be the Vice-Chancellor of the Karnatak University, Dharwar, for a period of three years with immediate effect.

By Order

G. V. VISWANATH,

149 *Secretary to Governor.*

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 40 TML 74

Bangalore, dated 29th April 1975.

S. O. 1097—In exercise of the powers conferred under sub-section (1) of Section 350 of the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964) the Government of Karnataka has been pleased to extend the term of the Members of the 'Notified Area Committee; New Town, Bhadrawathi', Shimoga District constituted in Notification No. HMA 78 TML 69, dated 23rd November 1972 further period of three months with effect from 1st March 1975.

By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA,

Under Secretary to Government,

150 *Health and Municipal Admn. Department.*

SOCIAL WELFARE AND LABOUR SECRETARIAT

CORRIGENDUM No. SWL 59 LLA 75

Bangalore, dated 10th April 1975.

S. O. 1098. -In S. O. 881 published in part IV-2C(ii) of the *Karnataka Gazette* dated 20th March 1975 the words and figure "of clause 2" appearing in line 9 on page 1697 be deleted.

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
62 *Social Welfare and Labour Department.*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, B'lore.

PART IV

Section 2-C (ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour Dispute.—Industrial dispute between the workmen and the Management of the Managing Director, M/s. Mysore State Agro Industries Corporation Ltd., Hebbal, Bangalore.

Award of the Presiding Officer, Labour Court, Hubli, Published.

Read the following Papers :

(1)Letter No. LCH/2533/74-75, dated 10th March 1975, from Srt H. L. Narayana Gowda, Presiding Officer, Labour Court Hubli.

BEFORE THE LABOUR COURT AT HUBLI

Reference ID (LCH) Claim No. 57/74

Present :

Sri H. L. Narayanagowda, B.A., LL.B.,
Presiding Officer.

Date : 10th March 1975

laimant :

Sri Nijaguni Shankar Doddamani, Ex-Tractor Driver, Mysore State Agro Industries Corporation, Jamkhandi, District Bijapur.

Vs.

Respondent :

The Managing Dtrector M/s. Mysore State Agro Industrits Corporation Ltd., Hebbal, Bangalore.

Order No. SWL 636 LLD 74, dated 16th September 1974

JUDGEMENT AND AWARD

The Government of Karnataka have made this reference under clause (c) of sub-section (1) of Section 10 of the I.D. Act referring the dispute between Sri N. S. Doddamani, Ex Tractor Driver, Jamkhandi branch of Mysore State Agro Industries Corporatton and the Management of M/s. Mysore State Agro Industries Corporation Ltd., Bangalore for adjudication to this Court on the following points of dispute.

"Is the Management of M/s. Mysore State Agro Industries Corporation Ltd., No. 10 Ali Askar Road, Bangalore-1-B, justified in terminating the services of Sri Nijaguni Shankar Doddamani, Tractor Driver, Branch Jamkhandi, District Bijapur, with effect from 26th February 1971 ?

If not, is the said workman entitled for reinstatement in service with back wages and continuity of service and other consequential benefits ?

2. The claimant in his claim statement states as follows :

His services were terminated from 26th February 1971. At that he was drawing a salary of Rs. 212 p.m. including D.A. his salary from 26th February 1971 till 26th September 1974 for the period of 3 years and 7 months will come to Rs. 9,116 less Rs. 400 paid Rs. 8,716 may be awarded to him with all emoluments from the Respondent. He may be immediately reinstated in the service of the Corporation on the said salary in the grade of Rs. 90-5-150-10-15-270 in his former post at Jamkhandi. The Respondent Corporation was not at all justified in terminating his service from 26th February 1971. It is baseless and false that he often used to be sick. He sought sick leave to which he was entitled according to rules and it was no ground for abrput termination of his service. In fact the Corporation had regularised his service and was appointed on the staff of the Corporation. Under condition No. 2

of the order of the Managing Director of the Corporation, he was eligible for leave and other benefits. He prays that he may be reinstated in service with continuity of service and full backwages.

3. The Respondent in its written statement pleads as follows:

At the outset the Respondent submits that the reference is bad in law and is liable to be rejected in limine in as much as there is a factual error in the order of reference. The order of reference stats that the termination was with effect from 26th February 1971. The claimant in his claim statement has also aleged that he was terminated from service with effect from 26th February 1971. But it is submitted that in fact the workman was not at all terminated from service, much less on 26th February 1971. All that was done on 26th February 1971 was that a memo was issued to the claimant stating that he was applying for leave continuously on the ground of health and that the management feels that his health may not permit for the post of tractor driver. He was instructed that if he took leave his service would be terminated on the ground of health. He was further instructed to produce medical certificate for his state of health. This memo it is submitted can never be construed as a letter terminating his services. It is further submitted that as letter on 2nd April 1971 the Assistant Engineer, Jamkhandi wrote to the Administrative Officer of the Respondent bringing to his notice the heavy quantum of leave applied for by the first party and seeking his instructions as to the action to be taken in the matter, Therein he had specifically stated that the claimant had again applied for leave from 2nd February 1971 to 18th March 1971, along with a Medical Certificate. In these circumstances it is apparent that the services of the claimant were not at all terminated as on 26th February 1971 and hence it is submitted that the order of reference which proceeds on an erroneous assumption of facts which are not true is not maintainable. Even otherwise there is no industrial dispute. Without prejudice to the

above contention it is further submitted that the claimant resigned and subsequently submitted his letter of resignation with effect from 18th February 1971 and requested that his letter of resignation with effect from 18th March 1971 and requested that his accounts may be settled. As submitted above he had applied for leave upto 18th March 1971 and it is with effect from that day he wanted the resignation to be given effect to. However he again requested for being given a temporary appointment as driver which was given to him and he worked as such temporary driver till 30th May 1971 and thereafter stayed away from attending to his duties without information and therefore he was treated as having abandoned his service. From the above narration of facts it is claer that this is not at all case of termination of service by the second party. On the other hand it is the action of the first party workman himself in abandoning his services,, that brought about a cessation of his service. It is submitted that the order of reference which proceeds on the basis that the first party workman was terminated from service is further bad on this count also. In this connection it is submitted that the claimant was a person who was taking leave often for long periods on grounds of ill health. From 6th February 1970 to 4th May 1970 he had applied for leave for as many as 74 days. He was a Chronically sick man. He was working as a tractor driver which work is of a hard and onerous nature. He had expressed his desire to resign from service and further he stayed away from work with effect from 1st June 1971. In these circumstances it is submitted that the management was perfectly justified in treating his case as one of abandonment. It was a *bonafide* decision. No malafides can be attributed to the second party and in fact the claimant also does not do so. On the other hand the second party has been very considerate in his case and has gone on giving him leave and trying to help him to the extent possible. In the circumstances explained above it is submitted that the claimant is not entitled to any relief. Even if for some reason the court were to hold that he is entitled to any relief to is submitted

that he is not be reinstated in as much as he is chronically sick man and will sot be able to continue the job of tor driver which is a very hard job and therefore it wo be in his interest itself not to claim reinstatement. Had only put in less than 2 years service. He was appointed on daily wages from 7th May 1969 and his servicees were regularised only with effect from 1st January 1970. During his short tenure of his service he mostly remained on leave. In these circumstances also it is submitted that he is not entitled to any relief. It is submitted that the claim statement filed by the workman is vague and contains no grounds. Except saying that he was not often sick and that he sought sick leave to which was entitled according to rules and that was no ground for termination of his services, the first party has not said anything. It is submitted that the leave rules applicable to him did not entitle to him to such a long period of leave which he availed. As submitted above after his regularisation with effect from 1st January 1970 within a period of 5 months he availed 74 days leave. He further applied for leave for 45 days from 2nd February 1971 to 18th March 1971. This much of leave he was not entitled to under the leave rules. It is submitted that as stated above the services of the first party workman were not at all termintted by the Respondent on account of his sickness. In these circumstances his allegation that he was terminated from service on the ground of sickness is baseless. The Respondent thus submits that this is not a case of termination of service by the Respondent at all ; but it is a case of abandonment of service by the first party workman himself who first submitted his resignation and then worked as a temporary workman for a few days and then abandoned his service. It prays that the reference may be dismissed.

4. In support of its case the Respondent has examined its Manager Sri Subramanyam MW-1 who was Assistant Engineer at the relevant time, and closed Ex. M 1 to M-12

are ocuments filed for him. The claimant has not exan any witnesses. He has produced no documents. He been placed *ex parte.*

I have perused the records and heard Sri B. C. Prakar, learned Representative for the Respondent.

6. MW-1 Sri Subramanyam, Manager, has stated that since 2 years he is working as Manager' Pesticide, Agro-Industries, Bangalore, Prior to that he was working in Hubi. Prior to his coming to Hubli he was working at Jamkhandi. He knows the claimant. The claimant was Tractor Driver in their office at Jamkhandi. He was appointed in 1969. Ex. M-1 is the office copy of the appointment Order dated 30th April 1969. It was temporary appointment. Subsequently his services were regularised. Ex. M-2 is the office copy of the appointment Order dated 31st December 1969. The claimant has signed Ex. M-2. The claimant was not attending the office regularly In 1970 the clamast did not attend duties for 70 to 75 days. He used to tell him to attend office regularily. He used to say that he was not keeping well. Some times he used to produce Medical Certificate. Some times he was not producing anything. In 1971 the claimant was again not regular in attendance. On 3rd February 1971 the claimant made the application Ex. M-3 dated nil applying for 2 days leave. Leave was granted for 2 days. Again on 6th 1971 the claimant applied for extention of leave for 2 days. i.e., 5th and 6th also. Afterwards the claimant did not attend the office at all. Neither did he apply for extention of leave. On 26th February 1971 he issued the memo to the claimant and the office copy of the memo is Ex. M-5. In the original of Ex. M-5 he called upon the claimant to come back to duty. But he did attend the office at all. On 19th March 1971 the claimant attend the office. He gave leave application dated 19th March 1971 Ex. M-6 along with Medical Certificate. Ex. M-7. He gave warning to the claimant and he asked him to attend office regultrly. He told the claimant that he would report his irregular

attendance to the Head Office. He promised to be regular in future. The claimant stated that he would resign if the rules did not permit his continuance. Even then he continued him in service. His service were not terminated because of his absence. Ex. M-8 is the voucher dated nil, issued by the claimant for having received the salary for the month of March. They deducted his salary for the days of absence in March. After he returned to duties they began to pay him his salary on monthly basis itself. He was paid likewise for the months of April and May. Ex. M-9 is the voucher issued by the claimant dated nil for having received salary for the month of April Ex. M-10 is the office copy of acquittance roll for the month of May. Then he reported the matter to the Head Office. Ex. M-11 is the office copy of his letter to the Head office in respect of the claimant dated 2nd April 1971. Subsequently he wrote another letter Ex. M-12 is the office copy of that letter dated 1st May 1971. According to the records the claimant has worked till the end of May 1971. They did not terminate the service of the claimant on 26th February 1972. Upto end of May 1971 the claimant worked since then he is not to be heard at all. He himself has abandoned the work.

7. On the face of it the reference is bad because the Respondent has not terminated the service of the claimant, from 26th February 1971. MW-1 has sworn that since May 1971 the claimant is not to be heard at all. This is a case of abandonment of service and not termination of service. The claimant his himself abandoned the work and now he wants reinstatement. There is no question of reinstatement because his services have not been terminated. The question of reinstatement arises only when the services of the claimant have been illegally terminated. The reference is defective on this ground.

8. Now the claimant can go and report to duty if he so desires. The Respondent may take disciplinary action against him. That is another matter. But he is free to go and report to duty because his services have not been

terminated. He is still in the employment of the Respondent. But the reference does not survive because the service of the claimant have not been terminated. The reference must be rejected.

AWARD

9. The reference is rejected. No costs.

Hubli,
10th March 1975.

H. L. NARAYANAGOWDA,
Presiding Officer,
Labour Court, Hubli.

ORDER

Bangalore, dated 22nd March 1975

S.O. 1105.—WHEREAS by State Government Order No. SWL 636 LLD 74, dated 16th September 1974, the Industrial Dispute between the workmen and the Management of M/s. Mysore State Agro Industries Corporation Ltd., Hebbal, Bangalore, was referred to the Labour Court, Hubli, for adjudication.

AND, WHEREAS the Labour Court, Hubli has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

[No. SWL 68 LLA 75].

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE & LABOUR DEPARTMENT

Labour Dispute.—Industrial Dispute between the workmen and the management of Sri Syed Akbar, Proprietor, Kudige Estate, Balehonnur Post, Chickmagalur District.

Award of the Presiding Officer, Labour Court, Hubli-21, published.

Read the following Papers :

(1) Letter No. LCH/REF/2433/74-75, dated 20th February 1975, from Shri H. L. Narayanagowda, Presiding Officer, Labour Court, Hubli-21.

BEFORE THE LABOUR COURT AT HUBLI

Reference ID (LCH) Claim No. 50/74

Present :

Shri H L. Narayanagowda, B.A., LL.B.,

Presiding Officer :

Dated 20th February 1975

Claimant.—Sri Paul Fernandez, Ref. by the Secretary, the Estates Staffs' Union, of South India (ESUSI), Chickmgalur.

Respondent.—Sri Syed Akbar, Proprietor, Kudige Estate, Balehonnur Post, Chickmagalu District.

G.O. No. SWL 418 LLD 74, dated 26th June 1974

JUDGEMENT AND AWARD

The Government of Karnataka have made this reference under clause (c) of sub-section (1) of Section 10 of the I.D. Act 1947 (Central Act No. 14 of 1947) referring the dispute between Sri Paul Fernandez, Writer of Kudige Estate and the Management of Kudige

Estate, Balehonnur Post, Chickmagalur to this Court for adjudication on the following points of dispute :

"Are the Management of Kudige Estate, Balehonnur post, Chickmagalur district, justified in stopping work with effect from 7th August 1973 to Sri Paul Fernandez, Writer ?

If not, to what relief the said writer is entitled ?"

2. The claimant in his claim statement states as follows :

Sri Paul Fernandez is a permanent writer of the Respondent Estate for the last 2 years. However the Respondent orally refused employment to Shri Paul Fernandez with effect from 7th August 1973 without giving any written order or reason for such estoppal. The Action of the Respondent is illegal and the Management has no right to refuse work to the claimant. He prays that he may be reinstated in service with full back wages and continuity of service.

3. The Respondent in his written statement states as follows:

It is not true that he is owner of the Kudige Estate. He owns only five acres of coffee land in Bannur village and is registered by the title Bannur estate. It is not true that the claimant was writer in his estate. There was no necessity of engaging a writer in his estate which is small. He prays that the reference may be rejected.

4. In support of his case the claimant has examined himself and closed. Ex. W-1 to W-5 are the documents filed for him. The Respondent has remained *ex parte*. No evidence either documentary or oral is adduced on his behalf.

5. I have perused the records and heard Sri P. H. Pinto, learned representative for the claimant.

6. The claimant in his evidence states as follows :

He joined the Respondent estate on 3rd October 1972. The Respondent appointed him orally. His pay was fixed at Rs. 145 p.m. The Respondent estate is known as Bannur Kudige Estate. It is situated in Balehonnur Hobli, Bannur village. He was filed writer in the Respondent estate. There were 11 employes in the Estate. The Estate consists of 40 acres of coffee plants. One Mohamad was their Manager. The Proprietor used to reside at Balehonnur. He has got a shop there. The proprietorer used to come to the estate once in three or four months. He has received

Rs. 700 and odd for 7 months. On 7th August 1973 the proprietor told him that his services were no longer necessary. He told him orally. Then he approached the Union. He has committed no mistake in the Estate. There was no domestic enquiry held against him. Ex. W-1 is the instruction given by the Proprietor to the Manager, dated 20th November 1972. Ex. W-2 is another instruction given by the Proprietor Ex. W-3 is the letter written by the Manager to him dated 4th February 1973. Ex. W-4 is the letter written by the Proprietor dated 10th April 1973. Ex. W-5 is the instruction given by the Proprietor.

7. The respondent has remained *ex parte*, though he has filed written statement denying the allegations that the claimant is a filed writer in his estate. So I have got to accept the evidence of the claimant. The claimant swares that he is a field writer in the Respondent estate and he has been refused work. I accept his evidence and hold that he is entitled for reinstatement. I do not propose to grant him back wages.

AWARD

I order that the Respondent should re-instate the claimant in his service. No back wages are allowed. Continuity of service is allowed. No costs.

Hubli
20-2-1978

(Sd.) H. L. NARAYANA GOWDA,
Presiding Officer,
Labour Court, Hubli.

Order No. SWL 55 LLA 75,

Bangalore dated the 12th March 1975

S. O. 1106.—

WHEREAS by State Government Order No. SWL 418 LLD 74, dated 26th June 1974, the Industrial Dispute between the workmen and the management of Sri Syed Akbar, Proprietor, Kudige Estate, Balehonnur Post, Chickmagalur District, was referred to the Labour Court, Hubli, for adjudication.

AND WHEREAS, the Labour Court, Hubli, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the Karnataka Gazette.

By Order and in the name of the Governor of Karnataka

(K. MYLARAPPA),
Under Secretary to Government,
Social Welfare and Labour Department.

HOME SECRETARIAT

Notification No. HD 225 TMA 74.

Bangalore, dated 17th January 1975

S. O 1106-A.—In exercise of the powers conferred by the second proviso to Sub-rule (1) of Rule 201, and Rule 316 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka being satisfied that the motor vehicle described in the Schedule below belonging to the Mount Carmel College, 58, Palace Road, Bangalore-1B, can be used in public place without any danger to the public safety, hereby exempts the said vehicle from the provisions of clause (ii) sub-rule (1) of Rule 201 of the said rules for purposes of plying within the limits of Karnataka State.

SCHEDULE

Omni bus—MYD 4600
Overall length 28' 6"

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

1914

FINANCE SECRETARIAT

Notification No. FD 114 CSL 74.

Bangalore, dated 23rd April 1975.

S O.1107.—In exercise of the powers conferred by sub-section 5) of Section 8 of the Central Sales Tax, Act, 1956, the Government of Karnataka being satisfied that it is in the public interest to do so, hereby directs that with effect from *15th May 1975* no tax under the said Act shall be payable by any dealers having his place of business in the State of Karnataka in respect of the sales in the course of Inter State trade or commerce effected by him from any such place of business to the International Crops Research Institute for the Semi-Arid Tropics (ICRISAT) Begumpet, Hyderabad, Andhra Pradesh subject to the condition that the dealer furnishes to the assessing authority a certificate issued by the Administrator of the said Institute to the effect that the goods so purchased by it are for its official use.

By Order and in the name of the Governor of Karnataka,

T. M. VASUDEVAN,

Under Secretary to Government,
Finance Department.

FINANCE SECRETARIAT

Notification No. FD 146 CSL 74.

Bangalore, dated 23rd April 1975.

S. O. 1108.— WHEREAS by Notification No. S. O. 294 (FD 408 CSL 68), dated 22nd January 1969, the rate of tax payable under Karnataka Sales Tax Act 1957, on the first point of sale in respect of the sales of the twist drills, taps, dies, reamers, cutters, endmills and other similar small machine tools was reduced to 3 per cent;

WHEREAS the rate of tax payable on such machinery and spare parts etc., has been raised to 8 per cent with effect from 1st April 1974.

AND WHEREAS the Government consider it necessary to reduce the rate of tax payable on the sales of twist, drills, taps, dies, reamers, cutters, endmills and the similar small machine tools at 4 per cent.

NOW, THEREFORE, in exercise of the powers conferred by Section 8A of Karnataka Sales Tax Act 1957 (Karnataka Act No. 25 of 1957), the Government of Karnataka hereby reduces with effect from 15th May 1975 the rate of tax payable under the said Act on the sales of twist drills, taps, dies reamers, cutters, endmills and other similar small machine tools from eight per cent to FOUR PER CENT.

By Order and in the name of the Governor of Karnataka,

T. M. VASUDEVAN,

Under Secretary to Government,
Finance Department.

HOME SECRETARIAT

Notification No. HD 53 TMA 75

Bangalore dated 31st March 1975.

S. O 1109.—In exercise of the powers conferred by the Second Proviso to sub-rule (2) of rule 203 of the Karnataka Motor Vehicles Rules 1963, the Government of Karnataka being satisfied that the vehicles belonging to M/s. Ravi Construction Co., Indiranagar, Bangalore-38, mentioned in the Schedule below having overhang of 51. 7 per cent of the wheel base of 118" can be used in Public Place without any danger to the public safety, hereby exempts the said vehicles from the provisions of the said rules for purposes of plying in the Karnataka State subject to the condition that the vehicles should not be plied on steep ghat roads in the State.

SCHEDULE

Leyland Tippers :

	Chasis Nos.	*Engine Nos.*
1.	AL 7565472	ALI 42939
2.	AL 7565232	ALI 42877

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,

Under Secretary to Government,
Home Department.

4

HOME SECRETARIAT

Notification No. HD 200 TMA 74.

Bangalore, dated 15th November 1974.

S. O. 1110.—In exercise of the powers conferred by the second proviso to sub-rule (1) of the Rule 201, and Rule 316 of the Karnataka Motor Vihicles Rules 1963, the Government of Karnataka being satisfied that the Motor Vehicle described in the schedule below belonging to St. Mary's Girls High School, Bangalore-560052, can be used in public place without any danger to the public safety, hereby exempts the said, vehicle from the provisions of clause (i) of sub-rule (1) of the rule 200 of the said rules for purposes of plying them with within the limits of Karnataka State.

SCHEDULE

(OMNIBUS)

Sl.No.	Chassiss No.	Engine No.
1.	24654005646 Overall width-8'	-354-S-14309

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA
Under Secretary to Government,
Home Department

1540

HOME SECRETARIAT

Notification No. HD 178 TMA 74.

Bangalore, dated 31st October 1974.

S. O.1111.—In exercise of the powers conferred by the Second proviso to sub-rule (2) of Rule 203 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka being satisfied that the vehicle belonging to M/s. Bagalkot Cement Co., Ltd., Bijapur District, mentioned in the schedule below which is having overhang exceeding 50 per cent but not exceeding 52. 4 per cent of the wheel base can be used in public places without any danger to the public safety, hereby exempts the said vehicle from the provisions of said sub-rule for purposes of plying it in the State.

SCHEDULE

Ashok Leyland Hippo Truck ALH.1/5-141".
-Chassis No. AL. 742258.

Engine No. 1775.
Wheel base 141

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department,

1386

HOME SECRETARIAT

Notification No. HD 45 PRA 74

Bangalore, dated 21st April 1975.

S. O. 1112.—Government of Karnataka are pleased to appoint, under sub-rule (2) of rule 187 of the Karnataka Prisons Rules 1974. the following persons as non-official visitors to the Central Prison, Gulbarga for a period of two years:—

(1) The President of the City Municipality, Gulbarga

(2) Shri M. M. Kharge, M. L. A., Gulbarga.

(3) Shri Dharma Singh, M. L. A., Gulbarga.

(4) Shri Shantha Mallappa, M. L. C., Post Bhankur, Taluk Chitapur, Dist. Gulbarga *via* C. Rly. Shahabad.

(5) Shri Allauddin, Advocate, Gulbarga.

(6) Shri Homi Irani, Commandant, Home Guards Gulbarga.

(7) Smt. Vijaya Desai, M. L. A., H. No. 1-324, Station Road, Gulbarga.

(8) Smt. Vijayalakshmi, Principal, Women's College, Gulbarga.

(9) Sri Shivaraya Master, Sundernagar, Gulbarga.

(10) The District Surgeon, District Hospital, Gulbarga.

By Order and in the name of the Governor of Karnataka

K. S. L. SASTRY,
Under Secretary to Government,
Home Department.

HOME SECRETARIAT

Notification No. HD 195 TMA 74.

Bangalore dated 20th March 1975.

S. O.1113.—In exercise of the powers conferred by Rule 316 of the Karnataka Motor Vehicles Rules 1963, the Government of Karnataka being satisfied that the Vehicles-trailer combinations of the Karnataka State Road Transport Corporation mentioned in the First Schedule below can be used in Public Place without any danger to the public safety, hereby exempts the said vehicle-trailer combination from the provisions of rules 249, 251 and 253 of the said rules for the purpose of plying them on the routes mentioned in the Second Schedule subject to the conditions that the speed of the vehicle-trailer combinations on the bridges if any shall not exceed 10 K. Ms. per hour.

FIRST SCHEDULE

Sl. No.	Reg. No	Chassis No.	Engine No.	Wheel Base	Over-all length
1	2	3	4	5	6
	VEHICLE				
1	Un-Registered(New)	344 050 37 16949	692 D02 37 17224	205"	30
2	do	344 050 47 04987	692 D02 47 04894	205"	30
3	do	344 050 47 04159	692 D02 47 04166	205"	30
4	do	344 050 47 02823	692 D02 47 02823	205"	30
5	do	344 050 47 04160	692 D02 47 04170	205"	30
6	do	344 050 47 08290	692 D02 47 08416	205"	30
7	do	344 050 47 08291	692 D02 47 08422	205"	30
8	do	344 050 47 08310	692 D02 47 08414	205"	30
9	do	344 050 47 08339	692 D02 47 08467	205"	30
10	do	344 050 47 08341	692 D02 47 08457	205"	30
11	do	344 050 47 08343	692 D02 47 08415	205"	33
12	do	344 050 47 08344	692 D02 47 08456	205"	30
13	do	344 050 47 08349	692 D02 47 08468	205"	30
14	do	344 050 47 08351	692 D02 47 08469	205"	30
15	do	244 050 47 08352	692 D02 47 08474	205"	30
16	do	344 050 47 08357	692 D02 47 08481	205"	30
17	do	344 050 47 08360	692 D02 47 08471	205"	30
18	do	344 050 47 08361	692 D02 47 08472	205"	30

1	2	3	4	5	6
	TRAILER				
19	MYF: 4088	312 080 16 05472	—	190″	25'9″
20	4065	312 080 16 10811	—	190″	”
21	4067	312 080 16 99885	—	190″	”
22	4029	312 080 90 16378	—	190″	”
23	4072	312 080 16 09892	—	190″	”
24	0394	312 080 90 26782	—	190″	”
25	0515	311 080 90 37134	—	190″	”
26	1771	312 080 46 01155	—	190″	”
27	3292	312 080 8: 04317	—	190″	”
28	3909	312 080 90 37140	—	190″	”
29	4052	317 080 07 07022	—	190″	”
30	4055	317 080 16 07828	—	190″	”
31	4073	312 080 16 09878	—	190″	”
32	4910	312 080 16 10998	—	190″	”
33	4911	312 080 16 10993	—	190″	”
34	5684	312 080 95 06997	—	190″	”
35	5700	312 080 95 04547	—	190″	”
36	6295	312 080 16 01354	—	190″	”

SECOND SCHEDULE

1 Bangalore city and Sub-urban.
2 Mysore City.
3 Hubli-Dharwar.
4 Shimoga-Bhadravathi.
5 Mysore-Nanjangud
6 Bangalore-Kolar.
7 Bangalore-Mysore
8 Bangalore-Chickballapura
9 Bangalore-Doddaballapura.
10 Bangalore-Tumkur.
11 Mysore-Srirangapatna Road.
12 Bangalore-Hubli.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government
Home Department

2436

HOME SECRETARIAT

Notification, No. HD 129 TMP 74.

Bangalore, dated 26th February 1975.

S. O. 1114.—In exercise of the powers conferred by rule 218 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka hereby exempts the motor vehicle, belonging to M/s. B. P. Basheer Ahmed Khan and Sons, National Travels, No. 5, Albert Victor Road, Bangalore-2 mentioned in the Schedule below from the operation of the provisions of Rule 216 of the said rules and empowers the Regional Transport Authority to fix the maximum number of Passengers that may be carried in said vehicle and to prescribe the manner in which passengers in excess of the actual sitting accommodation may be carried subject to the condition that the vehicle should have seats of reclining type and should be used after construction of the body only as Luxury Tourist Vehicle meant for long distance travel.

SCHEDULE

1. Chassis No. AL 7458916 Engine No. ALI 35646

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,

Under Secretary to Government,
Home Department.

2258

HOME SECRETARIAT

Notification No. HD 165 TMP 75.

Bangalore, dated 26th February 1975.

S. O. 1115.—In exercise of the powers conferred by Rule 218 of the Karnataka Motor Vehicles Rules, 1963 the Government of Karnataka hereby exempts the motor vehicle belonging to K. Jayaraj Ballal S/o. K. Pandyaraj Ballal M/s. Ballal Motor Service, Moodabidri, South Kanara District mentioned in the Schedule below from the operation of the provisions of Rule 216 of the said rules and empowers the Regional Transport Authority to fix the maximum number of Passengers that may be carried in the said vehicle and to prescribe the manner in which passengers in excess of the actual sitting accommodation may be carried subject to the condition that the vehicle should have seats of reclining type and should be used after construction of the body only as Luxury Tourist Vehicles meant for long distance travel on the inter-State route Mangalore-Bombay.

SCHEDULE

1. Chassis No. AL. 7462142 Engine No. ALI-39423

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

2259

HOME SECRETARIAT

Notification No. HD 209 TMA 74

Bangalore, dated 19th February 1975.

S.O.1116.—In exercise of the powers conferred by Rule 316 of the Karnataka Motor Vehicles Rules 1963, the Government of Karnataka hereby exempts the Vehicles described in the Schedule below from the provisions of Rule 200 and 202 of the said Rules for being transported from the factory at Kolar Gold Field upto State Border in Belgaum District, *via.* Bangarpet, Kolar, Bangalore, Tumkur, Chitradurga Hubli and Anmode subject to the following conditions. —

1. Permission is valid for the portion of the route from the factory yard at K. G. F., Bangarpet, Kolar, Bangalore Tumkur, Chitradurga, Hubli, and Anmode on National Highway No. 4 upto Karnataka State Border.

2. The speed of the vehicles should not exceed 16 Km. per hour on roads and 8 Km. per hour on bridges and culverts.

3 The Bharath 35 Tons dumpers will have to be run by the B. E. M. L. at their own risk and should be driven between 9 A. M. to 6 P. M.

4. No damages should be caused to the pedestrains, other Vehicles moving on roods, bridges and culverts.

.5 Government shall not be responsible for any damages that may be sustained by the Vehicles or its contents or occupants consequent upon the movement of the vehicles.

6. The strengthening of Weak Culverts and bridges if any, required for passing the machine, shall be done at the cost of the party and damages caused to roads, bridges, and culverts should be made good by the B. E. M. L. as per assessment of the Executive Engineers of the concerned public works Department Divisions/National Highways.

7. The local Executive Engineers of Public Works Department, Kolar, and Executive Engineers of concened National Highways Divisions of Bangalore, Tumkur, Chitradurga, Belgaum, shall be informed in advance the date of the movement of the Bharath Dumpers on the said road.

8. Red flags must be exhibitted at their extremities length and breadthwise.

9 The vehicles should come to a stop at the approaches of all culverts and bridges and then proceed at a speed not exceeding 16 KM per hour over the structures. The vehicles must also be brought to a stop when there are vehicles from the rear and front, while crossing bridges and culverts.

10. Empty vehicles should be transported on the route indicated above and they should not carry any load over and above their self weight.

SCHEDULE

Bharat Haulpak Trucks Rear Dump Model 35.

Sl. No.	BEML No.	Chassis No.	Engine No.
1	0414	LCF 10102 CFA-15 AR	25105730
2	0415	LCF 10103 CFA-15 AR	25105736
3	0416	LCF 10104 CFA-15 AR	25105726

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,

Under Secretary to Government
Home Department.

HOME SECRETARIAT

Notification No. HD 64 TMA 75.

Bangalore, dated 22nd March 1975.

S. O. 1117.—In exercise of the powers conferred by Rule 316 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka being satisfied that the motor vehicle described in the schedule below belonging to M/s. The Sandur Manganese and Iron Ore Limited, Hospet, can be used in public place without any danger to the public safety, hereby exempts the said vehicles from the provisions of sub-rule (1) of rule 201 and clause (1) of sub-rule (1) of rule 200 of the said rules for purposes of plying them within the limits of Karnataka State.

SCHEDULE

(Omni Bus)

Chassis No.	*Engine No.*
AL-7565270	ALI-43004

Overall length = 29'.10

Overall width = 8'.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,

Under Secretary to Government,
Home Department.

6464

HOME SECRETARIAT

Notification No. HD 33 TMA 75.

Bangalore, dated 3rd February 1975.

S. O. 1118.—In exercise of the powers conferred by the second proviso to sub-rule (1) of rule 201 of the Karnataka Motor Vehicles Rules 1963, the Government of Karnataka being satisfied that the motor vehicle belonging to M/s. Sri Krishna Vijaya Corporation, Bangalore-2A mentioned in the schedule below having an overall length of 29' can be used in public place without any danger to the public safety hereby exempts the said vehicle from the provisions of clause (ii) of the said sub-rule for the purpose of plying it in the State subject to the following condition.

1. The vehicle should be plied only on main roads declared by the District Magistrate.

2. The vehicle should ply without endangering the public safety and public property.

SCHEDULE

Tata Goods Vehicle:—
Length 29'
Chassis No. 344 050 4716679
Engine No. 692 DO2 4717214.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

2083

HOME SECRETARIAT

Notification No. HD 212 TMA 74

Bangalore dated the 13th March 1975

S. O. 1119.—In exercise of the powers conferred by rule 218 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka hereby exempts the stage carriage vehicle belonging to Sri K. M. Chikkaputtaswamy, proprietor, Rajakumar Motor Service, Chikkaballapur, Kolar District mentioned in the Schedule below from the operation of the provisions of Rule 216 of the said rules and empowers the Regional Transport Authority to fix the maximum number of Passengers that may be carried in the said vehicle and to prescribe the manner in which passengers in excess of the actual sitting accommodation may be carried.

SCHEDULE

Chassis No. AL-7354863 Engine No. AL 131201

Registration No. MYK 5148

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,

Under Secretary to Government,
Home Department.

2365

HOME SECRETARIAT

Notification No. HD 68 TMA 75.

Bangalore dated 21st March 1975.

S. O. 1120.—In exercise of the powers conferred by the second proviso to sub-rule (1) of Rule 201 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka having been satisfied that the motor vehicle described in the schedule below belonging to Sri G. T. Venkataswamy Reddy, Proprietor, Sri Vinayaka Motor Service, No. 11/12 Albert Victor Road, Bangalore-2 can be used in public place without any danger to the public safety hereby exempts the said vehicle from the provisions of sub-rule (1) of Rule 201, of the said rules for purposes of plying it in the State subject to the condition that the vehicle should ply without endangering the public safety and public property.

SCHEDULE

Ley (and Vehicle)

1. Engine No. ALI 44300 Chassis No. AL 7566487
2. Overall length : 30'—10"

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,

Under Secretary to Government,
Home Department.

2435

HOME SECRETARIAT

Notification, No. HD 4 TMA 75.

Bangalore, dated 13th March 1975.

S. O. **1121**.—In exercise of the powers conferred by the rule 218 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka hereby exempts the vehicle belonging to M/s. Indian Air Lines, Mangalore mentioned in the Schedule below from the operation of the provisions of Rule 216 of the said rules and empowers the Regional Transport Authority to fix the maximum number of Passengers that may be carried in the said vehicle and to prescribe the manner in which passengers in excess of the actual sitting accommodation may be carried.

SCHEDULE.

Registration No. MRR 8475,

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,

Under Secretary to Government,
Home Department.

2364

HOME SECRETARIAT

Notification No. HD 186 TMP 74

Bangalore, dated 26th February 1975

S. O. 1122.—In exercise of the powers conferred by rule 218 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka hereby exempts the motor vehicle, belonging to Sri K. . Jayaraj Ballal, Ballal Motor Service, Moodabidri, South Kanara District, mentioned in the Schedule below from the operation of the provisions of Rule 216 of the said rules and empowers the Regional Transport Authority to fix the maximum number of passengers that may be carried in the said vehicle and to prescribe the manner in which passengers in excess of the actual sitting accommodations may be carried subject to the condition that the vehicle should have seats of reclining type and should be used after construction of the body only as Luxury Tourist Vehicles meant for long distance travel, on the Inter-State route Mangalore to Bombay.

SCHEDULE

1. Chassis No. AL 7461956 Engine No. ALI-39133.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,

Under Secretary to Government,
Home Department.

2257

HOME SECRETARIAT

Notification No. HD 223 TMA 74.

Bangalore dated 1st March 1975.

S. O.1123.—In exercise of the powers conferred by Rule 316 of the Karnataka Motor Vehicles Rules 1963, the Government of Karnataka being satisfied that the Motor vehicle fitted with drilling rig described in the schedule below belonging to M/s. Mahajan Borewell Co., 27, Victoria Road, Bangalore 7, can be used in public places without any danger to the public safety, hereby exempts the said vehicles from the provisions of sub-rule (1) of Rule 201 of the said Rules for purposes of plying it within the limits of Karnataka State subject to the following conditions.—

1. There should be an escort vehicle which should travel in front of the drilling vehicle carrying warning signs and a red flag.

2, Red flag must be displayed at the projecting end of the mast in the front of the vehicle and a red light may be fixed at the same place for being used during the night.

3. The speed of the vehicle should not exceed 20 kms. per hour.

SCHEDULE

TMB Truck fitted with a DEL 1500 Drilling Rig Model L-1210D/42

Engine No: 692 D01 3709244
Chasis No: 3440023709134
Overall length: 40'-11½"
The height from the ground when the mast is kept in a horizontal position. 10'-3¾"

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

2335

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 39 LCL 74.

Bangalore, dated 14th February 1975.

S. O. 1124.—In exercise of the powers conferred by sub-section (1) of Section 57 of the Provincial Insolvency Act 1920 (Central Act 5 of 1920) as extended by the Provisional Insolvency (Karnataka Extension and Amendment) Act 1962 the Government of Karnataka hereby appoint Smt. Sumati A. Patil, as Official Receiver, Belgaum District for a period of two years with effect from 12th January 1975.

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government,
2194 *Department of Law and Parliamentary Affairs.*

PUBLIC WORKS AND ELECTRICITY SECRETARIAT.

Notification No. PWD. 25. EBS 75.

Bangalore, dated 20th March 1975.

S. O.1125.—WHEREAS the Karnataka Electricity Board was constituted with effect from 30th September, 1957 and notices were issued to the personnel of the erstwhile Government Electrical Department to express their willingness to serve under the Karnataka Electricity Board or otherwise;

WHEREAS the official specified in Column 2 of the Schedule below has expressed his option to serve under the Karnataka Electricity Board with effect from 30th September, 1957 and whereas the Karnataka Electricity Board agreed to take in the said person as its employee.

NOW THEREFORE, Government of Karnataka hereby direct that with effect from 30th September, 1957, the services of the person specified in said column 2 bearing description given in column 3 be and deemed to be, transferred to the Karnataka Electricity Board in the corresponding post specified in column 4 thereof and that on and from the said date the said person shall cease to be a person in the services of the State Government.

Sl. No.	Name	Check No.	Designation.
1	2	3	4
1	Sri S. Balasundara	–	II Grade Clerk.

By Order and in the name of the Governor of Karnataka,

HIMRAO,

Deputy Secretary to Government,
P. W. D. & Electricity Department.

2401

SOCIAL WELFARE AND LABOUR SECRETARIAT

Notification No. SWL 250 LSI 74.

Bangalore dated 31st October 1974.

S. O. 1126.—In exercise of the powers conferred by Section 88 of the Employees State Insurance Act, 1948 (Central 34 of 1948), the Government of Karnataka hereby exempts the employees of M/s. M. I. T. Laboratories Post Bag No. 397, Malleswaram, Bangalore-3, whose names are indicated in column (2) of the table below for the period specified in the corresponding entries in column (4) thereof from the operation of the said Act thereof, subject to the conditions that:—

(1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;

(2) Notwithstanding this exemption, the employee shall continue to receive such benefits under the said Act, to which they might have become entitled to on the basis of contributions paid prior to the date from which the exemption granted by this Notification operates.

(3) The contributions paid by the employees during the period prior to the date from which the exemption granted by this notification operates shall not be refundable.

TABLE

Sl. No.	Name	Designation	Exemption	
			From	to
	Smt./Sri			
1.	J S. Pattanna Sheth	Representative	29-1-74	30-6-75
2.	T Seshasayee	do	10-6-74	30-6-75
3.	T. V. Subbaiah	do	21-10-74	30-6-75
4.	R. K. Kulur	do	21-10-74	30-6-75
5.	D. K. Subramanyam	do	23-8-74	30-6-75
6.	M. N. Chinappa	do	23-8-74	30-6-75
7.	M. N. Rangaraja	do	15-7-74	30-6-75
8.	A. K. Ranganath	do	15-7-74	30-6-75
9.	R. B. Puttanna Shetti.	do	15-7-74	30-6-75

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

1374 *Under Secretary to Government,*
Social Welfare and Labour Department.

Social Welfare and Labour Secretariat

Notification No. SWL 218 LSI 74.

Bangalore dated 30th September/ 1st October 1974.

S O.1127:—In exercise of the powers conferred by Section 88 of the Employees State Insurance Act, 1948 (Central 34 of 1948), the Government of Karnataka hereby exempts the employees of M/s. Sandoz (India) Ltd., Jayachamarajendra Road, Bangalore, whose names are indicated in column (2) of the table below for the period specified in the corresponding entries in column (4) thereof from the operation of the said Act, subject to the conditions that:—

1) The aforsaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;

2) Notwithstanding this exemption, the employee shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of contributions paid prior to the date from which the exemption granted by this notification operates;

3) the contributions paid by the employees during the period prior to the date from which the exemption granted by this notification operates shall not be refundable.

TABLE

Sl. No.	Name	Designation	Exemption From	Exemption To
1	2	3	4	5
1	Sri Prabhakar Laxman Jather.	Representative	1-7-74	30-6-75
2.	Sri A. Rajgopal	do	1-7-74	30-6-75
3	Sri K. R. Nanaraj	do	13-6-74	12-6-75

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secretary to Govt.,
Social Welfare and Labour Deptt.

1120

Social Welfare and Labour Secretariat

Notification No. SWL 23 LLE 75

Bangalore, dated 19th February 1975.

S. O. 1128.—Whereas in Notification No. SWL 138 LLE 74, dated 3 st July 1974 Engineering Industry (Manufacturing Machine Tools) has been declared as Public Utility Service in the State of Karnataka for a peri d of six months from 1st August 1974.

And, whereas in the opinion of the Government of Karnataka, public interest requires that the period should be extended further.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clau e (vi) of clause (n) of Section 2 of the Industrial Disputes Act 1947 (C nt al Act No. 14 of 1947), the Government of Karnataka hereby extends the peri d and declares the Engineering Industry (Manufacturing Machine Tools) as Public Utility Service in the S ate of Karnataka for a further period of six months from 1st F bruary 1975.

By Order and in the name of the Governor of Karnataka,

K. Mylarappa,
Under S cr ta y to G'v rnment,
2191 *Soci l W lfare and Labour Depar ment.*

DEVELOPMENT, HOUSING, PANCHAYAT RAJ AND CO-OPERATION SECRETARIAT.

Notification No. DPC 73 CEA 74

Bangalore, dated 13th March 1974.

S O.1129.—In exercise of the powers conferred by sub-section (5) of Section 21 of the Karnataka Co-operative Societies Act, 1959 (Karnataka A t No 11 of 1959) and in supersession of Notification No. S.O. 941 (No. DPC-34-CB 71). dated 7th April, 1971, the Government of Karnataka hereby confers on the category of officers specified in Column 2 of the table below, the powers of the Registrar of Co-operative Societies under the sections of the said Act and the rules of the Karnataka Co-operative Societies Rules 1960. specified in the corresponding entries in column 4 in respect of the Co-operative Societies specified in column 3 thereof namely :—

TABLE

Sl. No.	Category of Officers.	Societies	Powers of the Registrar of Co-operative Societies under the Act and Rules.
1	2	3	4
1.	Assistant Registrars of Co-operative Societies.	(i) All Co-operative Societies whose area of operation is less than a taluk.	*Sections* 6, 7, 8, 10, 12, 17 27, 28, 63, 64, 65, 67, 68, 70 71, 103, 104, 105 A, 113, 117, 125. *Rules.* 3, 6, 7 (1) and 12), 31, 37, 50, 52, 53, (2), (3) and (4).

1	2	3	4
		(ii) All Co-operative Societies irrespective of the areas of their operation.	*Sections.* 88, 89 A, 89 D, 99, 100, 101 and 101 B. *Rules* 33 (B), 37 (5)(a) 37(5) (b), 38 (A) 46, 48, 49 (C)(2)
2.	Deputy Registrars of Co-operative Societies.	(i) All Co-operative Societies whose area of operation is less than a taluk.	*Sections* 14 30, 69 72,73 74, 75 and 111. *Rules* 15(1), 16(2), 22 (1)(a), 24(2)(a), 33 and 51.
		(ii) All Co-operative Societies whose area of operation extends to a taluk.	*Sections* 6, 7, 8 10. 12,17 27 28.63, 64. 65, 67,68.70,71, 99, 103, 104, 105 A, 113,117,and 125 *Rules* 3, 6, 7(1) and 2) 31,50,52, 53 (2), (3) and (4)
3.	Joint Registrars of Co-operative Societies.	(i) All Co-operative Societies whose area of operation extends to a taluk.	*Sections* 14, 30, 69, 72 73 74, 75 and 111. *Rules* 15 (1), 16 (2), 22 (1) (a). 24(2) (a), 33 and 51.
		(ii) All Co-operative Societies whose area of operation is less than a district.	*Sections* 118.

1	2	3	4
			Rules 14 (b) (1) and (4), 17(1), 18(a) (1)and(2), 18(b) 22 (1) (b), 23(2) and (3), 24 (2) (b) and 26.
		(iii) All Co-operative Societies whose area of operation extends beyond a taluka but does not extend beyond a district.	*Sections* 6, 7, 8, 10, 12 17, 27, 28, 63 64, 65, 67, 68, 70, 71, 99, 103, 104, 105A, 113, 117 and 125. *Rules* 3, 6, 7 (1) and (2), 31, 50, 52, 53(2) (3) and (4)

By Order and in the name of the Governor of Karnataka,

H. MAHARUDRAIAH,
Secretary to Government,
Development, Housing, P. Raj, and Co-op.
Department.

2971

FOOD AND FOREST SECRETARIAT

Notification No. AFD 152 FAF 72.

Bangalore, dated 18th February 1975.

S. O. 1130.—In exercise of the powers conferred by Section 4 of the Karnataka Forest Act 1963 (Karnataka Aat 5 of 1964) the Government of Karnataka hereby;

1. Declares that it has been decided to constitute the land in the Mudur village of Coondapur Taluk of South Kanara District, the situation and limits of which are specified in the Schedule below, as reserved forest;

2. Appoints the Forest Settlement Officer, South Kanara, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of sub-section (1) of the said section; and

3. Appoints the Divisional Forest Officer, Coondapur Division, Coondapur to represent the State Government in the enquiry by the said Forest Settlement Officer.

SCHEDULE

Name of the District	....	South Kanara
Name of the Taluk	....	Coondapur
Name of the Village	....	Mudur
Name of the Block	....	Malibare R.F Extn. Block III (Bekal Block)
Field Survey Number.	....	15 and 2
Area.	...	55.04 Hectares (136.00 acres)

Boundary description

North:—From station No. 14 C. No. 13 Southern side from the point of S. No 7 of Lakshmi Forest, the demarcation line runs in South-East direction to station No. 15 at a distance of 250 links. Thence the line turns to almost Eastern direction to station No. 16 at a distance of 190 links. From there the line moves in North-East direction

to Station No. 18 after passing through middle station No. 17 at a distance of 540 links. Thence the line runs nearly in Eastern direction and touches to station No. 19 at a distance of 400 links. Again the line runs in North-East direction to station No. 30 after passing through middle station No. 20 to 29 over a total distance of 2410 links. Thence line touches to Madibare R. F.

The bearings and distances from station to station are as follows :—

Station Numbers From	To	F. Bearings in degrees in FB	Distance in links
1	2	3	4
14	15	100½	250
15	16	94	190
16	17	74	300
17	18	68	240
18	19	81½	400
19	20	31	200
20	21	41	230
21	22	45	225
22	23	46	210
23	24	54½	240
24	25	67	185
25	26	60	220
26	27	42½	155
27	28	67½	235
28	29	75½	330
29	30	77½	180

East :—Starting from station No. 30, the deam rcation line runs in almost Southern direction to station No. 32 after passing through intermediate station No 31 at a distance of 495 links along Madibare R.F. boundary. Thence the line runs in South-West direction to station No. 38 after passing intermediate station No. 33 to 37 at a total distance of 1825 link. From there the line runs in South East direction to station No. 51 after passing intermediate stations 39 to 50 at a total distance of 4737 links along the boundary line of Madibare R. F.

The bearings and distances from station to station are as follows:

Station From	Numbers To	F. Bearings in degrees.	Distances in links
1	2	3	4
30	31	176	280
31	32	179½	215
32	33	207	320
33	34	247	180
34	35	230	185
35	36	212	350
36	37	225½	530
37	38	230	260
38	39	152	170
39	40	156	625
40	41	162	320
41	42	159	440
42	43	158	520
43	44	154½	325
44	45	137	190
45	46	156	412
46	47	161	250
47	48	162½	400
48	49	145	520
49	50	163	125
50	51	135	440

South:—From station No. 51 the demarcation line runs in North-West direction to station No. 53 after passing intermediate station No. 52 over a total distance of 630 links Thence the line runs in almost Western direction to station No. 54 at a distance of 380 links. Thereafter the line runs in North-West direction to station No. 62 after passing middle station No. 55 to 61 at a total distance of 3425 links. From there the line turns towards Western direction and touches to station No. 63 at a distance of 530 links. Again it runs in North-West direction to station No. 65 after passing the middl station No. 64 at a total distance of 645 links. From there the line runs in South-west direction to station No. 67 after passing through the middle Station No. 66 at a distance of 910

links. Thence the line runs in almost western direction towards station No. 68 at a distance of 180 links.

The bearings and distances from station to station are as follows :—

Station From	Numbers to	F. Bearings in degrees	Distance in links
1	2	3	4
51	52	305	210
52	53	296	420
53	54	277½	280
54	55	292	315
55	56	286	255
56	57	313½	230
57	58	310	370
58	59	318½	1040
59	60	307½	315
60	61	292	390
61	62	283	480
62	63	269½	530
63	64	299½	300
64	65	300	345
65	66	216½	540
66	67	224½	370
67	68	267	180

West :—From station No. 68 the demarcation line runs in North-West direction to station No. 1 after passing the intermediate station No 69 at a distance of 560 links. From there the line runs in North-East direction to station No. 14 after passing through the intermediate station No. 2 to 13 at a total distance of 3090 links, thus closes the traverse.

The bearings and distances from station to station are as follows:-

Station From	Numbers To	F. Bearings in degrees	Distances in links
1	2	3	4
68	69	327	180
69	1	298½	380
1	2	25½	360
2	3	11½	265
3	4	51½	200
4	5	58	255
5	6	58½	210
6	7	63½	270
7	8	33½	250
8	9	25½	190
9	10	33	200
10	11	27½	290
11	12	45	140
12	13	52½	270
13	14	74	190

Right of Ways

A foot path coming from Be-kal enters into the block in between Cairn No. 16-17 and moves in South-East direc ion for about 10 chain, then turns towards eastern direction and exists the block in between station No. 39-40 cutting Madibare R. F. Line and moves to Mudur.

Other Privileges

1. Free removal of green manure leaves of unreserved trees by the villages for benafide use.
2. Free removal of dry fuel by the villagers for *bonafide* use.
3. Free removal of Muligrass by the villagers for bonafide use.
4. Free grazing of cattle by the villagers.

By Order and in the name of the Governor of Karnataka,

JAYATHIRTHARAO BAPU,
Under Secretary to Government,
Food and Forest Department.

2222

HOME SECRETARIAT

ORDER NO. HD 160 CNA 74,

Bangalore, dated 26th December 1974.

S. O.1131–In exercise of the powers conferred by section 12 of the Karnataka Cinemas (Regulation) Act, 1964 (Karnataka Act 23 of 1964), the Government of Karnataka hereby approves for the purpose of the said section the films approved by Government of India specified in the schedule below and directs every licensee under the said Act to exhibit the same at each show before the commencement of feature film.

SCHEDULE

Sl. No.	Title of the Film	Length 35 mm	Name of the applicant	Name of the producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
1	2	3	4	5	6
1	Indian News Films No. 1339	194.46 Metre	Films Division, Govt. of India, 24-Peddar Road, Bombay-26.	Film News and Current Events.	
2	I. N. F. No. 1340	213.00 do	do		do
3	I. N. F. No. 1341	212.75 do	do		do
4	I. N. F. No. 1341-A	288.34 do	do		do

5	I. N. F. No. 1341-A	114.00	do	do	do
6	The World of the Aopkin	4112.00	do	do	do
7	Chorers	272.80	do	Messers United Movies Makers, Tappal Road, Ville-Parle (East) Bombay-57 Form No. 28/2/74 F.P Appendix	do
8	I. N. F. No. 1341 (Southern Edition)	296.90	Metr.	1915 Films Division, Government of India, 24-Peddar Road, Bombay-26.	Film of News and currenn ev ents. (for exhibition it Southern State only in Andhra Pradesh, Kerala, and Karnataka, Tamil Nadu).

Form No. 28/2/74-F.P. Appendix-1961

By Order and in the name of the Governor of Karnataka,

K. B. DESHPANDE,

Under Secretary to Government, Home Department.

1813

FOOD AND FOREST SECRETARIAT

ORDER No. FFD 1 RRM 75. (i).

Bangalore, dated 22nd April 1975.

S. O. 1133.—In exercise of the powers conferred by sub-clause (1) of clause 7 of the Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1973, the Government of Karnataka hereby authorises the persons specified below also, for the purposes of the said clause,—

(1) The person who is for the time being the Assistant Commissioner (Flying Squad) Department of Food and Civil Suplies.

(2) The person who is for the time being the inspector of Civil Supplies, attached to the Flying Squad, Department of Food and Civil Supplies.

(3) The persons who are for the time being the Food Inspectors, attached to the Flying Squad, Department of Food and Civil Supplies.

By Order and in the name of the Governor of Karnataka,

M. D. GOVINDARAJ,
Under Secretary to Government,
Food and Forest Department.

100

FOOD AND FOREST SECRETARIAT

ORDER No. FFD 1 RRM 75 (ii).

Bangalore, dated 22nd April 1975.

S. O. 1134.—In exercise of the powers conferred by sub-clause (1) of clause IV of the Karnataka Foodgrains (Purchase in Regulated Markets) Order, 1967 the Government of Karnataka, hereby authorises the persons specified in the Schedule below to exercise the powers conferred under the said clause within the State of Karnataka, in addition to the officers previously empowered in this behalf.

SCHEDULE

1. The person who is for the time being Inspector of Civil Supplies attached to the Flying Squad, Department of Food and Civil Supplies.

2. The persons who are for the time being the Food Inspectors attached to the Flying Squad, Department of Food and Civil Supplies.

By Order and in the name of the Governor of Karnataka,

M. D. GOVINDARAJ,
Under Secretary to Government,
Food and Forest Department.

FOOD AND FOREST SECRETARIAT

ORDER No. FFD 1 RRM 75 (iii).

Bangalore, dated 22nd April 1975.

S. O. 1135.—In exercise of the powers conferred by sub-clause (1) of Clause 4 of the Southern Rice Zone (Restriction on Rail Booking) Order, 1960 the Government of Karnataka, hereby authorises the persons specified in the Schedule below to exercise the powers conferred under the said clause within the State of Karnataka, in addition to the officers previously empowered in this behalf.

SCHEDULE

1. The person who is for the time being Assistant Commissioner (Flying Squad), Department of Food and Civil Supplies.

2. The Person who is for the time being Inspector of Civil Supplies attached to the Flying Squad, Department of Food and Civil Supplies.

3. The persons who are for the time being the Food Inspectors attached to the Flying Squad, Department of Food and Civil Supplies.

By Order and in the name of the Governor of Karnataka,

M. D. GOVINDARAJ,
Under Secretary to Government,
Food and Forest Department.

102.

REVENUE SECRETARIAT

Notification No. RD 27 LRA 74.

Bangalore 'ated 21st April 1975.

S O. 1136.—In partial modification of Government Notification No. RD 27 LRA 74, dated the 10th July 1974, Shri Mahendra Kumar, MLA, Hulsoor Constituency is nominated as a Member of the Tribunal of Bhalki in Bidar District in place of Shri Subhash Asture, Minister of State for Major and Medium Irrigation who has expressed his inability to continue as a Member of the said Tribunal he having been appointed as the Minister of State for Major and Medium Irrigation.

In place of Shri Sambanna, Shri L. N. Kolla, Advocate, Bhalki is nominated as the Member of Tribunal, Bhalki.

By Order and in the name of the Governor of Karnataka,

M. S. NAGARAJA,

Asst. Spl. Officer for L. R. and Ex-officio

Under Secretary to Government,

113 *Revenue Department.* (*I/c.*)

PUBLIC WORKS AND ELECTRICITY SECRETARIAT.

Notification No.PWD 155 FCR 72.

Bangalore, dated 30th December 1974.

S. O. 1137.—In exercise of the powers conferred by Clause (2) of Article 283 of the Constitution of India, the Governor of Karnataka is pleased to make the following further amendments to the Karnataka Public Works Account Code, Volume-I, viz.,

In the said Code after Note-2 below paragraph 410 the following shall be introduced as Note-3:

"*Note-3*:—All payments of "decretal amounts" pertaining to "Deposit Works" should be charged on the Consolidated Fund of the State under "259 Public Works Suspense Misc. P. W. advances Other items charged". These should simultaneously be transferred to the deposit work concerned by debit to "Public Works Deposits-Deposits for works other than Takavi Works to be done" if sufficient funds are available or to Suspense Head "Misc. P. W. Advances-Expenditure incurred on Deposit Works in excess of deposits received (voted)" if sufficient funds are not available".

By Order and in the name of the Governor of Karnataka,

N. K. SITARAMIA,

1937 *Special Officer,*

Public Works and Electricity Department.

PUBLIC WORKS AND ELECTRICITY SECRETARIAT.

Notification No. PWD 102 EBS 73.

Bangalore, dated 26th April 1975.

S. O. 1138—In exercise of the powers conferred by Sub-Section (2) of Section 5 of the Electricity (Supply) Act, 1948, (Central Act 54 of 1948), the Government of Karnataka hereby appoint Shri M. Ramachandran, I A. and A. S. Accountant General (II, Maharashtra, as a member of the Karnataka Electricity Board vice Shri A. S. Krishna Moorthy repatriated to his parent Department. He will function as the Finance Member of the Karnataka Electricity Board and will be incharge of the Financial Management and control and accounts of the Karnataka Electricity Board.

While on his deputation to State Government, he will draw his grade pay in the parent Department from time to time *plus* usual deputation (duty) allowance.

By Order and in the name of the Governor of Karnataka

BHIM RAO,

151 *Deputy Secretary to Government,*
Public Works & Elecy. Department.

PUBLIC WORKS AND ELECTRICITY SECRETARIAT

Corrigendum No. PWD 155 BMD 69.

Bangalore, dated 21st December 1974.

S. O. 1139.—Please add the Words " as grant-in-aid " after the words Rs. 15,902 in line 4 of the order of even No. dated 25th July 1973 and read as para 5 of Appendix 3 of Mysore Public Works Accounts Code Volume II instead of para 5 of M.P.W.D. Code volume No. II occurred therein.

L. RAMACHANDRAIAH,
Under Secretary to Government
1773 *Public Works and Electricity Department.*

Notification No. PWD 64 PMT 74.

Bangalore, dated the 9th January 1975.

S. O. 1140.—In exercise of the powers conferred by sub-section (1) of section 6 of the Mangalore Port Trust Act 1953, the Government of Karnataka hereby appoint Sri G. R. Pandit, Trustee of the Mangalore Port Trust Board as Vice-Chairman of the Board of Trustees of the Port of Mangalore for the period coterminous with the term of his trusteeship.

By Order and in the name of the Governor of Karnataka,

N. SANJEEVA RAO,
1979 *Under Secretary to Government,*
Public Works and Electricity Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Order No. SWL 84 LLA 75, Bangalore, dated the 8th/9th April 1975.

S. O. 1141.—

WHEREAS, before the Presiding Officer, Industrial Tribunal, Bangalore, a complaint was made under Section 33-A of the Industrial Disputes Act 1947 (Central Act No. 14 of 1947), by Sri Chikkaramu, Venkatesh and Smt. Nagamma care of General Secretary, Bangalore General Union, Subedar Chatram Road, Bangalore-9.

AND, WHEREAS, the said Tribunal adjudicated upon the said complaint and submitted its award to the State Government as required under section 15 read with Section 33-A of the said Act.

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act 1947 (Central Act No. 14 of 1947), the Government of Karnataka, hereby directs the publication of the said award in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secy. to Govt., S.W. and L. Dept.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA, BANGALORE.

Dated 24th March 1975

Present

Sri M. C. Konnur, LL.B., .. *Presiding Officer.*

Complaint No. 14 *of* 1973 *in I.D. No.* 24 *of* 1972

Complainant:

Chikkaramü, care of General Secretary, Bangalore General Labour Union, Subedar Chatram Road, Bangalore-9.

Opposite Party :

The Management of Sanyasi Brothers by its Kartha and Manager Sri K. Eswar Rao Sanyasi and Proprietress, Smt. Jaya Pai, No. 59, Sunkalpet, Bangalore-2.

Complaint No. 15 *of* 1973 *in I.D. No.* 24 *of* 1972

Complainant :

Venkatesh, care of General Secretary, Bangalore General Labour Union, Subedar Chatram Road, Bangalore-9.

Opposite Party :

The Management of Sanyasi Brothers by its Kartha and Manager Sri K. Eswar Rao Sanyasi and Proprietress, Smt. Jaya Pai, No. 59, Sunkalpet, Bangalore-2.

Complaint No. 16 *of* 1973 *in I.D. No.* 24 *of* 1972

Complainant :

Smt. Nagamma.

Opposite Party :

The Management of Sanyasi Brothers by its Kartha and Manager Sri K. Eswar Rao Sanyasi and Proprietress, Smt. Jaya Pai, No. 59, Sunkalpet, Bangalore-2.

Appearances:

For the Complainants.—

Sri Alampalli Venkataram, General Secretary, Bangalore General Labour Union, Subedar Chatram Road, Bangalore 9.

For the Opposite Party.—

Sri K. Eswar Rao Sanyasi, Manager, Sanyasi Brothers, Bangalore.

AWARD

These complaints are separately filed by the complainants under Section 33-A of the Industrial Disputes Act, 1947, praying for reinstatement of the complainants with continuity of service and backwages and all other consequetial benefits.

2. The facts alleged in these 3 complaints are as under:—

On 26th April 1972, a Memorandum of Settlement was entered into between the General Secretary, Bangalore General Labour Union, representing the complainants in these three cases and the Management of the Opposite Party by its Manager, Sri K. Eswar Rao Sanyasi in the course of conciliation proceedings under Section 12(3) of the Industrial Disputes Act. The Memorandum of Settlement in its entirety is incorporated in all these complaints. It is seen that in the previous conciliation proceedings held on 3rd June 1971 an amicable settlement had been arrived at, but since that settlement was not implemented by the Management of the Opposite Party, the General Secretary of the Union had made a complaint to the Commissioner of Labour for non-implementation of the settlement, and prayed for proper action against the management. This was referred to the Labour and Conciliation Officer again for negotiations to get the said settlement implemented as a result of which the settlement, dated 26th April 1972 was arrived at between the

parties whereby the management agreed to implement the settlement, dated 3rd June 1971 and the workers *viz.*, the Complainants in question were to report for duty at the premises of the factory of the Management on 27th April 1972 in the presence of the Labour Inspector and Sri Alampalli Venkataram, the General Secretary of the Union. The Government had in the meanwhile referred the dispute between the complainants and the Management for adjudication to this Tribunal by its order, dated 4th August 1972 on the point as to whether the Opposite Party-Management was justified in refusing to pay the full back wages and the benefits of the continuity of service to these workers with effect from dates stated therein as this issue was not agreed to between the parties in the settlement of 3rd June 1971. This dispute was still pending in I.D. No. 24 of 1972 on the file of this Tribunal. Although the complainants were working properly and diligently, the Opposite Party illegally and unjustly terminated the services of these complainants by serving a copy of the intimation addressed to the Labour Officer stating that the services of the complainants were terminated with effect from 10th January 1973. Thus the terminations were effected during the pendency of the dispute on the file of this Tribunal without even serving any notices or giving any opportunity to the complainants and without holding any enquiry. Thus the terminations of the complainants' services were in contravention of Section 33 and the mandatory provisions of Section 33(2)(*b*) were not followed. Several letters addressed by the complainants requesting the management not to contravene Section 33 and to reinstate them were of no avail. Hence the complainants prayed for their reinstatement with all consequential benefits.

3. The contentions taken by the Opposite Party in its objection statement in all these complaints are as under:—

The Opposite Party Management is a manufacturer in Art Silk sarees and woven labels, employing about 20

to 25 workers. It is also stated that the complainants in all these cases were not working properly since their appointments from 27th April 1972, that they were working at their whims and fancies by absenting themselves without giving any notice and that they had thus put the Opposite Party to unnecessary loss. The Opposite Party became disgusted with the behaviour and attitude of the complainants towards their work. The stand taken by the Management is that these complainants were reinstated as per the terms of the settlement dated 26th April 1972, that it was agreed between the Commissioner of Labour and the Conciliation Officer, the complainants and the Opposite Party that the workers would work for a period of six months from the date of their appointment from 27th April 1972 and then a notice should be issued to the Labour and Conciliation Officer, copy of the same being posted to the complainants for employment for a further period of two months and thereafter, the complainants would leave their service of their own accord on 10th January 1973 after the expiry of the two months notice. It is stated that a copy of the notice dated 3rd November 1972 was sent to the complainants undtr Section 19(1) of the Industrial Disputes Act for necessary relief from the Labour and Conciliation Officer. No reply was received from the Labour and Conciliation Officer, to the letter addressed to him on 3rd November 1972 as the Conciliation Officer and the Complainants had already committed themselves for leaving the services of their own accord and the matter was closed by the Conciliation Officer without taking any further action after he had received the letter and the complaints also did not ask for conciliation proceedings as they had committed themselves to quit their services after issue of notice as per terms of settlement of 26th April 1972. The Opposite Party submitted that there was no violation or disregard of the provisions of the Industrial Disputes Act as the Opposite Party had strictly in accordance with the terms of the settlement dated 26th April 1972. Further the Opposite Party submitted that

the I.D. No. 24 of 1972 relates only to payment of back-wages and continuity of service to the complaints in question and that it is not connected with the Memorandum of settlement dated 26th April 1972.

4. The Management filed additional objections in which it was stated that, though the Opposite Party had contravened Section 33 of the Industrial Disputes Act, by not giving one month's notice pay, the Management obeyed in full satisfaction of the settlement by giving two months notice instead of one month as contemplated by Section 33 and thus the complaints had been benefitted as they had taken advantage of the settlement which was fair and more beneficial than the provisions of Section 33 of the Industrial Disputes Act and the Tribunal had no jurisdiction to entertain the complaints as it purely a matter of settlement between the parties before the Conciliation Officer.

5. The Issues framed in all these three complaints are common and they are :—

I. Whether the services of the complainants were terminated by the Opposite Party in pursuance of the terms of settlement as contended ?

II. Whether the Opposite Party is justified in terminating the services of the complainants for the reasons stated by the Opposite Party in its objection statement and whether it was not in violation of the provisions of Section 33 of the Industrial Disputes Act ?

III. To what reliefs, if any, are the parties entitled ?

6. Since the Issues involved in these three complaints are common and common evidence and documents are relied upon by consent, the three complaints are clubbed together for disposal by a common order.

7. On behalf of the complainants, the three complainants are examined and Sri A. Venkatram who is representing the complainant in these cases as the General Secre-

tary of the Bangalore General Labour Union of which the complainants are the Members has examined himself on behalf of the complainants. The complainants are illiterates except that the complainants in Complaint Nos. 15 of 1973 and 16 of 1973 know only how to sign their names. Sri A. Venkatram referred to the earlier settlements arrived at between the parties and also referred to the letters addressed by him on behalf of the complainants to the Management. The relevant settlement on the terms of which the reliance has been placed by the Opposite Party for terminating the services of the complainants in Ext. 3-A marked in I.D. No. 24 of 1972 and this settlement as stated above is incorporated in tht complaints by the complainants. The other settlement on which the settlement in question was based is the settlement dated 3rd June 1971 which is marked as Ext. 4(c) in I.D. No. 24 of 1972. These settlements are not disputed by the Opposite Party and Sri A. Venkatram has referred to them and proved them. The settlement Ext. 4(c), dated 3rd June 1971 would show that the Opposite Party had agreed to reinstate these complainants and the question of paying backwages with continuity of service was left open for being decided later, but as no agreement was reached on this point between the parties, this Issue was referred to this Tribunal which was pending in I.D. No. 24 of 1972 when the Opposite Party purported to terminate the services of the complainants as in accordance with the terms of the settlement Ext. 3(a), dated 26th April 1972. The settlement Ext. 3(a), dated 26th April 1972 was necessitated since the Opposite Party failed to implement the settlement as per Ext. 4(c), dated 3rd June 1971 and when the complaint was made by Sri A. Venkataram to the Commissioner of Labour for taking action against the management for not implementing the settlement dated 3rd June 1971 and when the management came in threat of prosecution for not implementing the settlement, dated 3rd June 1971, the Management yeilded and came to a settlement as per the terms of Agreement of Ext. 3(a), dated 26th April 1972.

8. Thus on its own showing, the management must either stand or fall by the settlement Ext. 3(a), dated 26th April 1972 since the management has entirely relied on this settltment dated 26th April 1972 as enabling it to terminate the services of the complainants in the manner it has done. The plain reading of the settlement Ext. 3(a), dated 26th April 1972 would show that there is nothing in the settlement which would lend support to the contention of the management for its terminating the services of these complaints as in accordance with the terms of this settlement. There are no such terms incorporated in this settlement dated 26th April 1972 which would enable the management to take any such plea or contention to justify the termination of the services of the complainant as in accordance with the terms of this settlement. All that the settlement states is that the workers *viz.*, the complainants in question would report themselves for duty on 27th April 1972 at 11-00 A.M. in the presence of the Labour Inspector and Sri A. Venkataram, General Secretary of the Union at the premises of the factory and the management had agreed to reinstate the said three workers. Beyond this, the agreement does not suggest that the management would employ them for a period of six months from 26th April 1972 or that the workers would voluntarily abandon the services of their own accord after two months notice after the completion of the period of six months from their reinstatement on 27th April 1972.

9. It is admitted that the management did not issue any direct notice to the complainants terminating their services. The Management simply addressed the letters dated 11th November 1972 and endorsed copies of the letters to these complainants. The evidence of Sri A. Venkatram show that the management did not care to reply to the letters of the complainant. The Management did not choose to adduce any evidence except relying upon the documents produced in the I.D. No. 24 of 1972. It is admitttd that the management terminated the services of these complainants but the stand taken is that the

services were terminated in accordance with the terms of the settlement dated 26th April 1972, whereby it was agreed between the parties and the Conciliation Officer that the workers would work for a period of 6 months from the date of reinstatement from 27th April 1972 and that the complainants would leave the services of their own accord on 10th January 1973 after the expiry of two months' notice. Evidently no such terms can be found in the settlement dated 26th April 1972 and obviously the Opposite Party had no alternative to leave the matter at that in the objection statement itself without venturing to lead any oral evidence and that for obvious reason, Sri K. Eswar Rao Sanyasi, who represented the Opposite Party and conducted these proceedings, did not choose to enter the witness box to support the stand taken by him.

10. Sri Eswar Rao Sanyasi remained satisfied by putting a few suggestions in the cross examination of the witnesses examined on behalf of the complainants. He suggested to Sri A. Venkatram that the Complaints filed are fabricated or outside the scope of Section 33-A of the Industrial Disputes Act. He suggested that he was giving false evidence in order to invoke the sympathy of the Tribunal. He further suggested that the copies of the letters produced by him along with the Acknowledgements of the Opposite Party are not connected with the acknowledgements and that the copies produced are false and fabricated and have nothing to do with the letters acknowledged by the Opposite Party. All these suggestions are obviously denied and they merit no consideration. If the copies produced are nothing to do with the letters acknowledged by the Opposite Party, the best way was to produce the originals and the suggestions made only show the desperate manner in which they are made without regard for truth. It would advance in no way the stand taken by the Opposite Party. The suggestions then made to the complainants in their cross examination are also significant in that it has been consistently suggested to them that they were removed from service after their reinstatement for the reason that they were

irregular in their attendance that they were not doing the work properly or idling away their time or were remaining absent at their will and pleasure and without leave or permission. These suggestions are of course denied by the complainants. If the suggestions are taken for their own worth, it would simply mean that the Opposite Party had terminated the services of the complainants apparently for their misconduct. It must follow, therefore, that the management was required to take action against the complainants after complying with the mandatory provision under Section 33 of the Industrial Disputes Act before their services could be terminated. Admittedly no notices were given to the complainants calling upon them to explain their misconduct. No enquiry was held after framing any charges against them and no opportunity was given to them before terminating their services.

11. The stand taken by the management appears to be that the management had not violated the provisions of Section 33 of the Industrial Disputes Act in as much as they had terminated the services of the complainants in accordance with terms of the settlement dated 28th April 1972. I have already pointed out above that such a stand is not borne out by the terms of the settlement relied upon by the Opposite Party for this purpose. Several letters were addressed on behalf the complainants by Sri A. Venkatram but they are of no avail in spite of bringing to the notice of the Management that their action was contrary to the provisions of Section 33 of the Industrial Disputes Act and that the stand taken by the management in their letter dated 3rd November 1972 that the complainant, services were terminated in accordance with the settlement dated 26th April 1972 was all imaginary. Reference may be made to the letters Ext. C. 14 and C. 15 addressed to the Opposite Party by Sri A. Venkatram on behalf of these complainants bringing out the hollowness of the stand taken by the Management in terminating the services of these complainants as in accordance with the terms of settlement, dated 26th April 1972 and I need not repeat the observations made in Ext. C-14 and C-15. The

Management appears to be labouring under misconception of the provisions of law by stating that the two months' notice, instead of one month's notice, was more to the advantage of the complainants. The stand of the management, that the complainants should work for six months from the date of reinstatement and that they should quit the services after two months after the expiry of six months' period appears to have been adopted by reference to Section 19(2) of the Industrial Disputes Act. It is true that under Section 19(2) of the Industrial Disputes Act, the settlement would be binding for such period as is agreed upon by the parties and if no such period is agreed upon, for a period of six months from the date on which the Memorandum of Settlement is signed by the parties and shall continue to be binding on the parties after the expiry of the period aforesaid until the expiry of two months from the date on which the notice in writing of intention to terminate the settlement is given by one of the parties to the other party to the settlement. The invoking of Section 19(2) by the Management in these cases is out of place although the management has adopted the language of Section 19(2) in its objection statement in support of its action. In the first instance, the management has not terminated the settlement as such as contemplated by Section 19(2) of the Act. On the contrary, the stand of the management is that it has taken the action against the complainants as in accordance with the terms of the settlement itself. Thus the question of terminating the settlement did not arise in this case on the admission of the Opposite Party itself.

12. Admittedly, the dispute between the very parties was pending in I.D. No. 24 of 1972 on the file of this Tribunal when the Opposite Party terminated the services of the complainants. A vague contention was taken that the issue pending in I.D. No. 24 of 1972 had no connection with the termination of the services of the complainants as it was done in accordance with the terms of the settlement, dated 26th April 1972. Once it is held that the termination

was not in accordance with the terms of the settlement, dated 26th April 1972, this contention falls to the ground. Consequently, since the complainants are dismissed from their services, it does come within the purview of Section 33(2)(b) of the act and the dismissals of the complainants by the Opposite Party is clearly in violation of the mandatory provisions of Section 33 of the Act.

13. In the result, the complaints must succeed and the order for their reinstatement must follow. Normally they have to be reinstated with full back wages but no evidence has been adduced as to whether the complainants had no opportunity to secure alternative gainful employment during all this period and in the absence of such evidence, I think it is fair to allow reinstatement with only half back wages.

14. The complaints 14 of 1973, 15/73 and 16 of 1973 are allowed. The complainants in 14 of 1973, 15 of 1973 and 16 of 1973 are ordered to be reinstated with half back wages and continuity of service. No order as to costs.

(Dictated to the stenographer, transcribed by him and corrected by me).

M. C. KONNUR,
Presiding Officer,
Industrial Tribunal, Bangalore.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour Dispute.—Industrial Dispute between the workmen and the management of Sanyasi Brothers, Bangalore-2.

Award of the Presiding Officer, Industrial Tribunal, Bangalore, published.

Read the following Papers :—

(1) Letter No. I.T. 2051—74-75, dated 29th March 1975 from Shri M. C. Konnur, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA, BANGALORE.

Dated 22nd March 1975

Present

Sri M. C. Konnur, LL.B., *Presiding Officer.*

I. D. No. 24 of 1972

First Party.—The workmen of Sanyasi Brothers, Bangalore.

Vs.

Second Party.—The Management of Sanyasi Brothers, 59, Sunkalpet, Bangalore-2.

Appearances

For the First Party.—

Sri Alampalli Venkatram, General Secretary, Bangalore General Labour Union, Subedar Chatram Road, Bangalore-9.

For the Second Party—

Sri K. Eswar Rao Sanyasi, Kartha and Manager, Sanyasi Brothers, 59, Sunkalpet, Bangalore-2.

Reference

(*Government Order No. FCL* 1209 *LLD* 71, *dated 4th August* 1972).

The State Government, being of opinion, that an industrial dispute existed between the workmen and the management of Sanyasi

Brothers, No. 59, Sunkalpet, Bangalore-2, referred the dispute by its order No. FCL 1209 LLD 71, dated 4th August 1972 for adjudication to this Tribunal under Section 10(1) (d) of the Industrial Disputes Act, 1947, on the following points :—

Is the management of M/s. Sanyasi Brothers, Sunkalpet, Bangalore, justified in refusing to pay full back wages and the benefit of continuity of services to the following workers with effect from the dates mentioned against each :—

1. Sri Chikkaram—Twister—from 12th April 1969;
2. Sri Venkatesh—Winder—from 12th April 1969; and
3. Smt. Nagamma—Winder—from 8th April 1969.

If not, what relief are the said workers entitled to ?

2. The workmen, represented by the General Secretary, Bangalore General Labour Union, hereinafter referred to as the I Party and the management of Sanyasi Brothers, Bangalore, represented by Sri K. Eswar Rao Sanyasi, hereinafter referred to as the II Party have filed their respective statements.

3. The I Party filed its statement of demands after the II Party filed its statement. The statement of demands filed by the I Party is a lengthy statement running into 32 pages narrating elaborately all the facts that preceded the dispute including facts of similar instances which are incorporated with a view to show the conduct of the II Party. It may not be necessary to reproduce the statement of the I Party in all its elaboration and I would be stating only the material facts that led to the present dispute.

4. The II Party-Management has a silk factory which is stated to have been registered under the Factories Act. It is alleged that the employees were required to be paid the minimum wages fixed by the Government for the silk industry and other benefits. As the management was not giving the statutory benefits to its workers, one worker, by name Lakshmamma, filed an application in the Labour Court at Bangalore, which was opposed by the management but was allowed by the Labour Court. The management had illegally retrenched the services of another worker, Muniamma, and the Union had addressed a letter to the Management for payment of retrenchment compensation. The Management took a *mala fide* contention that Muniamma was not retrenched and that she had voluntarily abandoned the services. Even in the case of both Muniamma and Lakshmamma they were not allowed to join their duties and the management alleged that they had voluntarily abondoned their jobs. The statement elaborately refers to the letters addressed by the

Union to the management in this regard. The management's contentions in respect of these two workers in the Labour Court that they had abandoned their services and that they were not retrenched was shown to be false by reference to their own returns sent to the P.F. Authorities and these instances are pointed out with a view to show that the management has always come out with a plea that the workers have left their services on their own accord whenever the worker complained of illegal termination.

Sri Chikkaramu and Venkatesh, two of the concerned workmen in this dispute also filed an application in the Labour Court on 24th March 1969 for claiming the benefits of the minimum rates of wages for the weekly, national and festival holidays and overtime wages. Chikkaramu has joined the services of the II Party in 1959 and not in 1967 as alleged by the II Party and even though the workmen was working continuously, he was covered for E.S.I. only from 15th May 1967 by manupulating the records. The services of Chikkaramu were wrongfully terminated on 12th April 1969 without any notice or enquiry. Sri Venkatesh joined the service in 1965. These two workers never absented as alleged by the Management. On 10th April 1969, Sri Eswar Rao Sanyasi brought two constables and they were compelled to go to the Police Station where they were detained till 12-00 Noon and later let off. After they were let off, they came to factory and worked till 5-30 P.M as usual. Sri Eswar Rao Sanyasi prevailed upon these two workers to sign the typed matter and said that unless they resigned from the Union and withdrew the case from the Labour Court, they will have to face very serious and dangerous consequences. A letter dated 10th April 1969 was addressed to the management narrating the whole incident and Venkatesh wrote another letter, dated 9th April 1969 to the management referring to the incident of 1st March 1969. Sri Eswar Rao Sanyasi asked the workmen to resign from the Membership of the Union and withdraw the case from the Labour Court and when Venkatesh asked Sri Eswar Rao Sanyasi what guarantee was there that he would not be terminated from service if he did so, Sri Eswar Rao Sanyasi had given in writing stating that he would be paid Rs. 3 per day and Re. 0-35 P. for overtime work and that there was no ill-will between them and that Venkatesh would never be removed from service and would be continued as a permanent worker without any trouble. Venkatesh wanted to consult the Union and on 9th April 1969 Eswar Rao Sanyasi called Venkatesh to sign the typed matter to the effect that he had withdrawn the case and had resigned the Union. Venkatesh refused to sign it. When, on 11th April 1969, both these workers reported for duty, they were told that they would be marked as absent even though they worked in the factory if they did not resign from the Union and withdraw the case from the Labour Court. On the same day, a letter was addressed

to the management complaining about ,this and on the next day they were not allowed to enter inside the factory. They reported for duty on the following days, but they were not allowed inside the factory. On 17th April 1969, they were accompanied by the General Secretary of the Union to the factory and the factory inspector also paid a visit on that day and the irregularities in maintaining the records by the Management were noticed by the Factory Inspector. Sri Eswar Rao Sanyasi did not turn up to the factory on that day. Letters were addressed immediately after each incident to the Management by the Union.

Smt. Nagamma was working in the factory for 3½ years prior to 20th February 1969 as a Winder. She was not being given proper wages and the other benefits of Privilege leave and she was not covered by the E.S.I. Scheme. She requested for leave four days from 14th March 1969 and she was permitted to go. When she reported for duty on 19th April 1969, she was told that some other worker had been taken in her place and that her services had been terminated as she had taken two days leave more. On 20th February 1969, a letter was addressed under her signature to the management complaining about this and Nagamma reported for duty on 3rd March 1969 as per the oral message sent to her through another worker and she commenced working as usual in the winding section. When she made a request for giving her E.S.I. card and for covering under the Provident Fund Scheme, she was told that it will be done. She could not attend to her work on 7th April 1969 as she was required to attend her brother's marriage. When she went for work on 8th April 1969, she was asked not to work until she signed an undertaking that she would not join any Union or make any claim. She also addressed a letter on the same day complaining about this incident to the management. She was allowed to work from 9th April 1969 and she was issued E.S.I. Card on 14th April 1969 wherein the date of entry into service is shown as 24th March 1969. She complained that the entry was not correct and she had also stated before the factory inspector that she was working for the last 3½ years. She could not work from 18th April 1969 as she had an injury in her left leg and she had sent this information of sickness first certificate with her letter dated 18th April 1969. When she went to the factory on 30th April 1969 with the E.S.I. Certificate, she was asked to take another two weeks' leave for getting herself completely recovered but the management refused to give such intimation in writing. The Management was addressed with letters dated 16th May 1969 and 3rd August 1969 but they were of no effect. It is denied that these workers refused to work as alleged by the II Party, but the II Party was making such clever attempts with *mala fide* intentions with a view to escape the legal liabilities. The I Party, therefore, sought the intervention of the

Conciliation Officer on 13th November 1969 for advising the management to reinstate the 3 workers with continuity of service and backwages and by the efforts of the conciliation officer, the Management was persuaded to come to a settlement on 3rd June 1971 whereby the Management agreed to reinstate the workers leaving the other benefits for further examination on merits. This settlement was not implemented by the management. As the Management did not implement the settlement even after a letter and a reminder was issued, the Labour Commissioner issued a show cause notice on 23rd March 1972 as to why the Management by Sri Eswar Rao Sanyasi should not be prosecuted under Section 29 of the Industrial Disputes Act for non implementation of the settlement whereupon Sri Eswar Rao Sanyasi appeared before the Labour Officer and intered into a settlement dated 26th April 1972. In pursuance of this settlement the Management reinstated all the 3 workers and the Government thereafter made the present reference. It is further alleged that even after reinstating the workers, the management had been harassing these workers. The allegation of the management that the workers have voluntarily left their services and hence they are not entitled to continuity of service and full back wages is factually, and legally incorrect and an inference of voluntary abandonment cannot be legally drawn unless from the length of absence, and from other surrounding circumstances and the intention of the party concerned. In the instant case, the workers were requesting day in and day out for re-instatement with continuity of service and back wages and all the while the management was cleverly avoiding to comply. The II Party Management never conducted any enquiry or served any notice or charge sheet or gave any opportunity to the workers before terminating their services. The entire action of the management is opposed to the principles of natural justice, equity and fair play and it amounts to nothing but victimisation and unfair labour priace and the subsequent conduct of the management also shows their *malafide* intentions.

The I Party, therefore, prayed for passing an Award granting continuity of service and full back wages since the workers could not secure jobs in any other factoy in spite of their best efforts and on account of the *malafide* efforts of the management and as the wages paid to the workers were very low not exceeding a sum of Rs. 70 a month, and the workers were forced to incur debts on account of the unreasonable attitude of the management. It was submitted that the workers never abandoned or absented themselves, that Management illegally and unjustly terminated the services of the workers without conducting any enquiry or without giving any opportunity and that in spite of the repeated requests of the workers, the management refused to give any intimation in writing.

5. The II Party by its statement submitted that Chikkaramu joined duty on 15th May 1967 and got the benefit of E.S.I. from that date and he left the services on his own accord without informing anything to the II Party on 3rd March 1969 to better his prospects. Sri Venkatesh joined duty on 24th February 1965 and got the benefit of E.S.I. card from that date. He left the services in his own accord without informing anything to the II Party on 1st June 1968 to better his prospects. The II Party stated that they had not terminated the services of these two workers nor had the management refused to take them for work at any time. The II Party had received a notice from the Labour Court at Bangalore regarding the applications made by Sri Chikka Ramu and Venkatesh under Section 33(C) (2) of the Industrial Disputes Act. In that application, the management had submitted in their objection statement that these two workers had absented themselves for work on their own accord.

Smt. Nagamma joined duty on 24th March 1969 and was in service till 26th March 1969 and got the benefit of E.S.I. from that day. She left the services of the Management on her own accord without informing the II Party on 27th March 1969 to better her prospects and the II Party did not terminate her services ner refused to take her for work at any time. Even though the management had offered to take the workers on duty, they had refused to report for duty and the management was badly in need of their services at that time. The management had received a letter dated 1st December 1969 from the Labour Officer stating that the services of these three workers were wrongly terminated. The Management filed their objections and requested the conciliation officer and the General Secretary of the Labour Union to send the workers for work but they could not comply with the request of the Management as the workers were unwilling to join their duties. After a lapse 1½ year, notice was received from the Labour Officer that conciliation proceedings would be taken up in connection with these three workers. The conciliation proceedings took place from 14th May 1971 to 3rd June 1971 and on 3rd June 1971, a settlement was arrived at between the parties whereby, it was agreed to reinstate these three workers from 8th June 1971. Accordingly the 3 workers came to the factory with the General Secretary of the Union, but they insisted to give a letter in writing regarding the continuity of service and the back wages for the period in dispute about the three workers. The II Party refused to comply with the illegal request. The I Party workers left the premises of their own accord. The Management addressed a letter to the Conciliation Officer on 14th June 1971 stating their difficulties in complying with various laws and therefore, the workers were asked to fill the E.S.I. Declaration Forms and the I Party told the Labour Inspector who had accompanied them to

the factory to report the matter to the conciliation officer and left the factory. Asking the 3 workers to give E.S.I. Declaration Forms was not a new condition imposed on them by the II Party against the terms of the settlement. Even in the terms of the settlement, it is stated that the question of giving continuity of service and the backwages for the period in dispute would be further examined with reference to the documents and decision taken on merits separately. When this was so, it is the natural corollary that the appointment of the above three workers had to be treated as fresh appointments as on 8th June 1971. On the other hand, if the dates of their previous services in the factory were to be entered in the E.S.I. Declaration Forms, it would become imperative on the part of the II Party to allow them continuity of services and back wages and all other benefits and the II Party is subjected to all the penal provisions of laws. Nothing prevented the workers to join their duty by giving E.S.I. Declaration Forms that the date of appointment as 8th June 1971 and put in their claim to whatever they were entitled to. The II Party clarified the position but received the letter dated 28th February 1972 from the Labour Commissioner for not implementing the settlement dated 3rd August 1971. Conciliation proceedings were taken on 26th April 1972 and the 3 workers were taken for work on 27th April 1972 and the II Party, therefore, prayed for dropping further proceedings as per Section 10(1) (d) of the Industrial Disputes Act as the petition is premature and not maintable.

6. The II Party then filed its rejoinder to the statement of the I Party in which the contention taken is that these workers were taken for duty on 27th April 1972 as per the settlement and it was agreed between the Conciliation Officer, the I Party and the II Party that the workers should work for a period of six months from the dates of their appointment from 27th April 1972 and then to issue a notice to the Conciliation Officer, copy of the same being posted to the I Party, for employment for a further period of two months after the I Party had finished their employment of 6 months from 27th April 1972 and these workers should leave the services on their own accord after the expiry of the two months' notice. It is contended that the I Party workmen were not at all working properly after their appointment from 27th April 1972 and were absenting without giving any notice. The II Party became disgusted and had to give notice as per the settlement asking the workers not to attend their work after the expiry of two months. No reply was received from the Conciliation Officer to the Managements letters dated 3rd November 1972, 11th November 1972 and 18th November 1972 and as the wokers themselves had left their services, the I Party did not ask for conciliation proceedings in connection with these

notices as they had committed themselves to quit after issue of such notices as per the settlement.

7. On these pleadings, the following Issues have been framed:—

(1) Whether the 3 workers, Chikkaramu, Venkatesh and Smt. Nagamma had left the services of the II Party of their own accord as contended by the II Party ?

(2) Whether the II Party is not liable to pay back wages to the said workers as contended and whether the workers are not entitled to back-wages and other benefits in view of the terms of alleged settlement set up by the II Party ?

(3) To what reliefs, if any, the parties are entitled ?

8. The I Party has examined four witnesses WW-1 to WW-4 in its support. WW-1, WW-3 and WW-4 are the three concerned workers in this dispute. WW-2 is Sri A. Venkataram who is the General Secretary of the Bangalore General Labour Union of which the concerned workers are the members. He is representing the I Party workmen in this dispute and he had to enter the witness box, since he was acquainted with all the facts and correspondence that was carried on by him and on behalf of the workers with the II Party-Management. As the workers who are examined are illiterates except WW-3 and WW-4 who know only how to sign their names. The evidence establishes all the relevant facts narrated in the statement filed by the I Party to which I have referred above at sufficient length. WW-2 has referred to all the letters sent by him under the signatures of the concerned workers to the II Party Management and has proved the acknowledgement of these letters by the II Party Management. He has spoken to the copies of these letters which are carbon copies of the original sent to the Management by registered post with due acknowledgement. The letters as referred to in the statement of the I Party, the copies of which are brought on record, will show that such letters were addressed to the Management apprising what had happened on each particular day and how the Management refused to take them to work and complaining of all the acts of harassment and other acts of unfair labour practice adopted by the Management. The only suggestion made by Sri K. Eshwar Rao for the II Party Management in the cross-examination of these witnesses including WW-2 is, that the copies produced of the letters which are acknowledged by the Management are not true copies of the letters actually sent to the Management, under the acknowledgements produced, but the copies produced were manovered ones with a view to incur the sympathy of this Tribunal. The suggestion is without any substance and does not

merit any consideration. The Management was called upon to produce the original of these copies and the best way for the Management was to produce the originals received under the acknowledgements produced by the I Party to show that the copies produced are not true copies of those letters. Mere such suggestion is of no avail to the Management and I see absolutely no reason to disbelieve the evidence of WW-2 who himself had typed those letters under the instructions of the workers and sent them to the Management. Thus, if these events and facts as narrated in the innumerable letters sent by the I Party to the II Party are taken into consideration, it must follow that these workers were all along after the Management repeatedly requesting them for allowing them to work in their factory and that the Management which was refusing to give them work, put them under undue pressure for giving an undertaking for resigning from the membership of their union and for withdrawing their claim pending before the Labour Court. From the evidence brought on record, it cannot at all be suggested on behalf of the Management that the workers were unwilling to work in their factory in spite of the Management's offering to give them work or that the workers had of their own accord abandoned their jobs in the factory of the II Party with a view to better their prospects. The evidence brought on record on behalf of the I Party would clearly establish that they were making consistent efforts to persuade the management to allow them to work peacefully.

9. There is absolutely no evidence adduced on behalf of the Management even to suggest that the concerned workers had voluntarily abandoned their work. Sri K. Easwar Rao appeared to be satisfied by merely putting a suggestion in the cross-examination of these witnesses that they were not intimated in writing by the Management that their services were terminated or that the management were not willing to give them work. It would be simply begging a question. If the Management had issued anything in writing to the concerned workers to that effect, the workers would have definitely relied on that and challenged the action of the management. In turn it may be asked on behalf of the workmen whether the workers had given anything in writing to the management that they had voluntarily abandoned their services with a view to better their prospects elsewhere. There is nothing, even a suggestion worth consideration, in the cross-examination of these witnesses to infer that the workers had voluntarily abandoned the services of the II Party. On the contrary, the statment filed gy the I Party, has elaborately referred to the unfair labour practice adopted by the management. WW-1 and WW-2 have referred to the application filed by WW-1 and WW-3 along with other workers of the II Party Management, before the Labour Court under Section 33 (C) (2) of the Industrial Disputes Act against the Management. WW-1 has also referred to another application filed in the Labour

Court. It is not denied that such applications were filed by the workers in the Labour Court. but what has been suggested by Sri K. Eshwar Rao for the II Party, is that even in the proceedings before the Labour Court, he had offered to take workers back and that the workers themselves had not reported for duty. WW-3 has referred to the endorsement Ext. 1(b) given to him by Sri K. Eshwar Rao telling the witness that he should withdraw the case from the Labour Court and that he would not be removed from service and that he would be made permanent. This endorsement Ext. 1(b) is under the signature of Sri Eshwar Rao who on behalf of the II Party has conducted this case and cross examined the witnesses. The suggestion made in the cross-examination of WW-3 was that Ext. 1(b) was a forged letter or that it was not given to him by Sri Eshwar Rao. The suggestions made to the witness are in consistent with in themselves, in that, at one stage Sri Eshwar Rao suggesed it to be a forged letter and in another breath he suggested that it was got signed by Sri Eshwar Rao under the contents already written in Kannada in Ext. 1(b). Sri Eshwara Rao did not dispute his signature on Ext. 1(b) and he admitted that he had put his signature on Ext. 1(b) and has also put the date on Ext. 1(b) in his own hand. He has also suggested that he does not know Kannada and that the contents in Kanada in Ext. 1(b) were already written before his signature was obtained on Ext. 1(b). The suggestions are all denied. During the evidence the presence of Muniyappa who is a Maistry employed by the Management was noticed and it was also stated that he was present at the time when Ext. 1(b) was written and signed by Sri Eshwara Rao and handed over to WW-3. This Muniyappa is not examined. Sri Eshwara Rao himself does not step into the witness box in support of his case. Ext. (b) is not produced to the surprise of the II Party, but it has been referred in Ext. W5 sent by WW-2 This undertaking Ext. 1(b) is incorporated in the letter Ext. W5 sent by WW-2 on behalf of WW-3 to the Management. The undertaking Ext. 1(b) is dated 1st March 1969 and the contents are reproduced in Kannada in the typed letter Ext. W5 which is dated as far back as 9th April 1969. It is not at all attacked or shown to have been denied by the Management immediately after 9th April 1969 when it was specifically brought to the notice of the Management. I see. therefore, no substance in the suggestion made by Sri K. Eshwara Rao for the Management and there is no reason to disbelieve the evidence adduced on behalf of the I Party.

10. As against the convincing evidence produced on behalf of the I Party, the Management has not preferred to let in any evidence either by way of rebuttal or in support of its contention that the workers had voluntarily abandoned the services of the II Party. The evidence consistently shows the conduct on the part of the I

Party workers as against the attitude adopted by the Management and all the allegations made in the I Party's statement against the conduct of the II Party are borns out by documents brought on record. In the context of these facts and circumstances brought on record before this Tribunal, it cannot be suggested that the workers had abandoned the services of the II Party nor it can be suggested from any circumstances that such intention on the part of the concerned workers of having abandoned the services of the II Party could be inferred. In this connection Sri A. Venkataram relied on the decision reported in 1963 (ii) L.L.J. 638 (Buckingham and Carnatic Co. Ltd., vs. Venkatayya), for the proposition "that an employee has abandoned or relinquished service is not easily drawn unless from the length of absence and from other surrounding circumstances an inference to that effect can be legitimately drawn and it can be assumed that the employee intended to abandon his service. Abandonment or relinquishment of service is alway a question intention, and, normally such an intention cannot attributed to an employee without adequate evidence in that behalf." As pointed out above, no such inference of abandonment or relinquishment of service by the concerned workers, as suggested by the II Party, can be drawn in the circumstances. The Issue No. I is, therefore, answered in the negative.

11. It must follow that the II Party is liable to pay back wages to the said workers. The contention taken by the Management that the workers are not entitled to back wages and other benefit by virtue of the terms of the alleged settlement is also not borne out either by the terms of the settlement or by any other evidence or documents.

12. The Rejoinder filed by the II Party to the Statement of the I Party refers to subsequent events and it is not relevant for the purpose of the issue involved in this dispute and it was pointed out by Sri A. Venkataram that this contention of the management is a subject matter of the complaints filed by these workers under Section 33-A of the Industrial Disputes Act against the Management.

13. The I Party has submitted its statement that the workers concerned could not secure any jobs in any of the factories in spite of their efforts and on account of the *mala fides* of the management and as the wages paid to the workers were very low not exceeding Rs. 70 per month, the workers were forced to incur debts. It was submitted that the workers had never abandoned or absented themselves, that the management illegally and unjustly terminated their services without conducting any enquiry and without giving any opportunity and in spite of the repeated request by the workers,

the management refused to give them any work. In the evidence of the witnesses, however, it is not brought out that they were without jobs during the relevant period and in the absence of any evidence in that regard. it appears fair that it should be held that the workers are entitled to half back wages with continuity of service.

14. In the result, an award is made that the workers Chikkaramu, Venkatesh and Nagamma shall get their half back wages from 12th April 1969, 12th April 1969 and 8th April 1969 respectively with the benefit of continuity of service. In the circumstances, no order as to costs is made.

(Dictated to the Stenographer, transcribed by him and corrected by me).

M. C. KONNUR,
Presiding Officer,
Industrial Tribunal, Bangalore.

Order No. SWL 87 LLA 75, Bangalore, dated 10th April 1975.

S.O. 1142.—

Whereas by State Government Order No. FCL 1209 LLD 71, dated 4th August 1972 the Industrial Dispute between the workmen and the management of Sanyasi Brothers, Bangalore-2, was referred to the Industrial Tribunal, for adjudication.

And, Whereas the Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial dispute.

Now, therefore, in exercise of the powers conferred by section 17 of the Industrial Dispute Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

Legislature Secretariat

Notification No. 1488/L. A.

Bangalore, doted 9th May 1975.

S. O. 1143.—The Thirty-seventh session of the Karnataka Legislative Council which met from 10th February, 1975 to 30th April, 1975 and on 8th May, 1975 adjourned *sine die* on 8th May, 1975.

Te. HANUMANTHAPPA
Secretary.

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HOME SECRETARIAT

Notification No. HD 23 TMT 74.

Bangalore, dated 27th February 1975.

S. O. 1144.—WHEREAS the Government of Karnataka is of the opinion that it is necessary in public interest to reduce the tax payable under the Karnataka Motor Vehicles Taxation Act, 1957 (Karnataka Act 35 of 1957), in respect of Motor Vehicles registered in the States of Andhra Pradesh and Maharashtra and engaged in the transportation of sugarcane from the fields of sugarcane growers situated in the State of Karnataka to the Bidar Sahakara Sakkare Karkhane Limited, Bidar;

In exercise of the powers conferred by sub-section (1) of Section 16 of the Karnataka Motor Vehicles Taxation Act, 1957 (Karnataka Act 35 of 1957), the Government of Karnataka hereby reduces the tax payable under the said Act, in respect of motor vehicles registered in the States of Andhra Pradesh and Maharashtra and having valid countersignature to play in the Karnataka State and solely used for transportation of sugarcane from the fields of sugarcane growers situated in the State of Karnataka to the Bidar Sahakara Sakkare Karkhane Ltd., Bidar to one-third of the tax payable in respect of said vehicles under the said Act during the crushing operations of the said Karkhane for the season 1974-75.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government.
Home Department.

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PART IV

Section—2-C (ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour dispute.—Industrial dispute between the Workmen and the Management of Gokak Mills Ltd., Gokak Falls.

Award of the Presiding Officer, Additional Industrial Tribunal, Bangalore, published.

Read the following papers.

(1) Letter No. AIT/799/74-75, dated 25th March 1975, from Sri G. S. Bhagawat, Presiding Officer, Additional Industrial Tribunal, Bangalore.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL AT BANGALORE.

Dated this 24th day of March 1975

PRESENT :

Shri G. S. Bhagwat, B.A., LL.B.,
Presiding Officer.

A.I.D. No. 6 of 1973

I Party :

Workmen of Gokak Mills Ltd., Gokak Falls, represented by the Employees' Union, Gokak Falls, District Belgaum.

Vs.

II Party :

The Management of Gokak Mills Ltd., Gokak Falls, District Belgaum.

Appearances :

For the I Party.—Sri M. N. Dharwadkar, President, The Gokak Mills Employees' Union, Gokak Falls, Belgaum District.

For the II Party.—Sri R. Gururajan, Advocate, Bangalore.

AWARD

Short History of the Dispute :—

The Gokak Mills Ltd., is a Public Ltd., Company established in the year 1887. There is Engineering Department, consisting of mechanical and electrical Sections, mechanical section is doing service to the working of the mills by making repairs to machinery parts of the mills. The electrical section is doing service of starting the mills and repairing the electrical faults and electrical appliances. The Gokak Mills have been expanded and modernized during the last decade. The complements of the mills have increased from 3,000 to 7,000 during that period. But there has been no increase in the complements of the Engineering Department. On the contrary the management is extracting work from the workers without paying higher wages and is also extracting work on a different nature and of a higher grade though not required to do under the service conditions. Being aggrieved by the action of the management the Union on behalf of the workmen, has

raised the Industrial Dispute for the gradation and permanancy of the workmen in that grade. The Government of Mysore now Karnataka having been satisfied about the justness of the demands by its Order No. FCL 297 LLD 72, dated 23rd January 1973 referred the following points of disputes for adjudication :

" whether the workmen of Gokak Mills Ltd., Gokak Falls, represented by the Gokak Mills Employees' Union, Gokak Falls are justified in demanding that :

(*a*) Shri Ramachandra Bhima HRP. 5 working for the last 6 years as badli operative should be made permanent in the post of R. 32 ;

(*b*) Shri Rangappa Satyappa B. Temp. 1509 working as Cable Jointer for the last 6 years should be made permanent ;

(c) (i) Shri Mallappa Tammanna B. 69 (ii) Shri Yeshwant Ramachandra E. BP-3 (iii) Shri Appayya Kammar EBP. 5460, who are designated as coolies and working as fitters should be placed in the Grade of Fitters and workmen at serial No. (ii) and (iii) should be made permanent.

(d) Shri Bhima Rama E. 118, Coolie should be designated as Motor Attendant and made permanent.

If not, what other relief the concerned workmen are entitled to ?"

2. Workmen of Gokak Mills Ltd. represented by Employees' Union, Gokak Falls (hereinafter called as I-party filed their claim statement on 7th July 1973. Their contentions in brief are these :

Ramachandra Bhima EBP-5 in the post of E-32 was issued the Badli pass on 15th May 1965 and was assigned

the work of a Helper to Tinsmith. He so worked from 65 to 72. On 19th December 1970 the Union made a demand for his confirmation as a Tin Smith as a vacancy of a Tin Smith was created due to the death of one Lagma, E-32, to which he was entitled to as a matter of right. The Management transferred him and made him to work as a fitter for three months *i.e.*, from November, 72 to January, 73 and then he was sent as a helper to the Miller. This action of the management is not *bona fide* and is contrary to all the cannons of law.

Rangappa Satyappa E. Temp. 1509 is working as a Cable Jointer since 1964 and as a temporay operative. His work is not of a temporary nature. He worked so far over 9 years satisfactorily under the service conditions and he shall have to be confirmed. The workmen Mallappa, Tammanna, though appointed as a coolie has been working as a fitter for the last 20 years and as such he ought to be placed in the Grade of a fitter. The workman Yeshwant, Ramachandra and Appayya-Kammar are working as fitters for more than 5 years. Though they are holding badli passess they are invariably working throughout the year and hence they should be confirmed.

Another workman Bhim Rama E-118 was appointed as a Coolie. After he was confirmed, he worked as a Coolie for over 16 years. Thereafter he was made to work as a Motor attendant and he worked as such for over 4 years. There has been a vacancy of a Motor attedant created by the death of Kajalkhan Rahmankhan E-105 about 2-3 years back to which he is entitled and hence they prayed that an Award be passed in terms of the demands.

3. The Management of Gokak Mills Ltd., (hereafter called as the II-party filed its counter statement on 18th August 1973. The case of the II-party is that the contentions in this regard are too general and vague and the I-party has not given any specific instances which are detrimental to the interest of the workers. With regard to the regulations of the concerned workmen the management

contended when they work intermitently they cannot as a matter of right claim promotion to higher posts and their claims are untenable in law and they are not put to any monitory loss and the workmen Rangappa Satyappa is not entitled for permanancy in the post and hence they submitted that the reference may be rejected.

4. This case was taken up for hearing at Belgaum Camp on 17th December 1974. W.W.-1 and W.W.-2 were examined on behalf of the I-party and at this stage as the parties indicated some talk of settlement. The case was adjourned to 22nd January 1975 either for reporting settlement or for further evidence of the I-party. Thereafter the case had several adjournments and on 20th March 1975 the case was advanced on the application filed by Shri R. Gururajan, appearing for the II-party and the joint memo of the parties along with terms of settlement was recorded. The parties have arrived at a settlement in respect of the dispute under reference. Both the parties prayed for an Award in terms of the settlement dated 17th March 1975.

5. Heard Shri R. Gururajan appearing for the II-party. I was satisfied with the joint memo and the terms of the settlements, which are signed by the parties to the dispute and attested by independent witnesses. The terms of settlement so filed are fair and reasonable and I find no legal impedement to give an Award in terms of the said settlement.

In the result the Award is given in terms of the settlement dated 17th March 1975 which shall form part of this Award.

Parties to bear their own costs.

Sd. G. S. BHAGWAT,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

Memorandum

Memorandum of Settlement under Section 18(1) of the Industrial Disputes Act, 1947, read with Rule 59 of the Industrial Disputes (Karnataka) Rules, 1957.

Names of parties.—

Representing Employer.—Management of Gokak Mills (Division of Gokak Patel Volkart Limited), Gokak Falls, District Belgaum.

Representing employees.—Gokak Mills Employees' Union, House No. 19/3, Gokak Falls.

Short Recital of the Case

At the instance of Gokak Mills Employees' Union, Gokak Falls, the Government of Karnataka, by their Order No. FCL/297/LLD/72, dated 23rd January, 1973, have referred a dispute to the Additional Industrial Tribunal, Bangalore. The said dispute is numbered A.I.D. 6 of 1973 and is pending.

Terms of Settlement

1. Shri Ramachandra Bhima; E/BP/5, will be made permanent and will be placed in Tinsmith's Grade I.

2. Shri Yeshwant Ramachandra; E/BP/3, will be made permanent.

3. Shri Bhima Rama; E/118, will be designated as a Motor Attendant.

4. Shri Maruti Bhimarao; E/BP/24 will be made permanent and will be placed in Blacksmith's Grade I

Above agreement is full and final satisfaction of the dispute in A.I.D. 6 of 1973. Both the parties agree to file this settlement before the Honourable Additional Industrial Tribunal, Bangalore, in A.I.D. 6 of 1973 and request for and Award in terms of the settlement. Above settlement will come into force from the date of signing the settlement.

Dated this 17th day of March, 1975.

Signatures of Parties.
For Gokak Mills (Division of Gokak Patel Volkart Ltd.).

Witnesses:
(1) Sd.
(2) Sd.

Sd.
Mills General Manager
For Gokak Mills Employees' Union, Gokak Mills.

Sd.
President.

(COPY)

G. S. Bhagawat,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

Order No. SWL 89 LLA 75,

Bangalore, dated the 8/10th April 1975

S. O. 1148.—

WHEREAS by State Government Order No. FCL 297 LLD 72, dated 23rd January 1973 the industrial dispute between the Workmen and the Management of Gokak Mills Ltd., Gokak Falls, was referred to the Additional Industrial Tribunal, Bangalore, for adjudication.

AND, WHEREAS the Additional Industrial Tribunal, Bangalore, has submitted to the State Government its award in respect of the said industrial dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—Industrial Dispute between the workmen and the management of Karopady Agricultural Co-operative Bank Ltd., Karopady, Bantwal, South Kanara.

Award of the Presiding Officer, Labour Court, Mangalore, published.

Read the following Papers :

(1) Letter No. A/ID. 14/74-75, dated 17th March 1975 from Shri H. S. Venkatasubbaiah, Presiding Officer, Labour Court, Mangalore.

BEFORE THE LABOUR COURT AT MANGALORE

Dated 17th March 1975.

Reference (ID) (LCM) No. 14 of 1973.

Present :

Sri H. S. Venkatasubbaiah, B.A., LL.B., Presiding Officer.

Between :

Sri Gopalakrishna Bhat, C/o. Sahakari Naukarara Sangh, Felix Pai Bazar, Mangalore-1. .. I Party

And

The Management of Karopady Agricultural Co-operative Bank Ltd., Karopady, Bantwal, South Kanara. II Party

AWARD

The Government of Karnataka, being of the opinion that an industrial dispute exists between the workmen and the management of Karopady Agricultural Co-operative Bank Ltd., Karopady, Bantwal, South Kanara, have referred the said dispute for adjudication to this Labour Court under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. FCL 1231 LLD 72, dated 6th February 1973. The Points of dispute referred for adjudication are as follows :—

"(1) Are the Management of Karopady Co-operative Agricultural Bank Ltd., Karopady, P.O. Bantwal Taluk South Kanara District, justified in terminating the services of Sri P. Gopalakrishna Bhat from 23rd February 1972 ?

(2) If not, to what relief is the said workman entitled ?"

2. After the receipt of the reference, notices were issued to both the parties to file their respective statements. The first party filed its claim statement on 15th March 1973 and the second party its counter statement from 31st March 1973. The claim of the first party in short is that he was an employee of the second party appointed as a temporary clerk as per Resolution No. 796/21st November 1969 of the Board of directors of the Bank. Accordingly, the first party had paid the security deposit of Rs. 250 on 1st December 1969 and joined the services of the second party. Thereafter about two months, the first party was deputed to undergo the training in Co-operation. After completing the training the first party approached the second party for appointment. After lapse of nearly one year, the first party was appointed as clerk on 4th October 1971 awaiting the approval of the Assistant Registrar of Co-operative Societies as per the proceedings of the Board dated 23rd October 1971. Accordingly the first party's pay as a clerk was fixed at Rs. 100 per month. Further on

9th December 1971, in an agenda of the 10th Board meeting of the second party it was to consider the post of the first party. A section of the Board of Directors wanted the first party as a salesman. This was being done with a view to favour some other person. Thereafter, the first party protested against the above action of the second party. But, by a majority of Board of Directors passed a resolution to the effect that the first party should take charge of the salesman from 22nd February 1972. At the same time, the Board of directors decided to relieve a Salesman who has been working under the second party for four years. The first party requested the management for extension of time to take charge of the Salesman. The second party rejected the time and thereafter the first party's services were terminated with effect from 23rd February 1972. As the first party was illegally forced to take charge of the Salesman, the first party intended to bring this injustice to the knowledge of the officers of the Co-operative Department and for this purpose only this party had sought the extension of time. It is further contended that the said action of the management is not only unjust but also illegal and in violation of the principles of natural justice. The second party has not given an opportunity to the first party. Thereafter the second party appointed another person who is untrained in this field as a clerk. It is stated that the action of the second party is high handed, illegal and opposed to law and the second party has no right to terminate the service of first party. It is further stated that by a letter dated 2nd May 1972 the Deputy Registrar of Co-operative Societies, Mangalore, South Kanara had intimated the second party that the termination of service of the first party is illegal and as such the concerned officer will hold an enquiry and no enquiry report has been reported. Hence it was prayed that the termination order of the first party be set aside and he be reinstated in his original post with continuity of service and back wages.

3. The contentions raised by the second party in its counter statement are that the second party was registered

under the Co-operative Societies Act. That the Cadre strength of the Bank is fixed by the Registrar and if the Bank has to employ any person in excess of the Cadre strength so fixed, the approval of the Assistant Registrar of Co-operative Societies Puttur is necessary. Sri P. Gopalakrishna Bhat was appointed purely as a temporary clerk on 1st December 1969 and his appointment was not approved by the Assistant Registrar of Co-operative Societies, Puttur. The said first party desired to undergo co-operative training to qualify himself for posts in any Co-operative Society and this is possible only if he is employed in any co-operative institution to qualify himself for training. Therefore he requested the management to employ him as an apprentice clerk. The management complied with his request. The said first party desired to be relieved from the post for co-operative training as per his letter dated 26th February 1970. On 1st October 1970, he made an application to the second party to employ him in the bank since he completed the training. His application was considered by the Board and as he stood surity contrary to the service rules and also as he was overaged, it was resolved to obtain the sanction of the Assistant Registrar of Co-operative Societies. However in anticipation of the sanction of the Assistant Registrar of Co-operative Societies the first party was appointed on 4th October 1971 as a salesman in the second party establishment and the President was authorised to ascertain the opinion of the Assistant Registrar of Co-operative Societies, Puttur. The said Assistant Registrar, Puttur in his letter No. E/CAB/MSC/149/70-71, dated 14th February 1972 directed the second party to employ the first party as a salesman in the Bank. In consequence of which the second party resolved and requested the said first party to take charge of the post of the salesman on or before 3 p.m. on 22nd February 1972 by letter No. 304, dated 21st February 1972 and the said order was served on him on 21st February 1972 at 7 p.m. He was specifically informed that if he failed to take charge as aforesaid and report, his services would be terminated. That since

he did not take charge of the post, inspite of the said letter, his services were terminated and he was considered as no more in service of the second party. It is contended that it is for the employee to obey the orders of the Board and not to find fault or question the propriety whether it was passed by majority or not. It is denied that the resolution was passed to favour any person. It is not admitted that the first party requested time and the action of the management was just, proper valid and bonafide. Lastly it was prayed that the demand of the first party be rejected with costs.

4. No additional issues were found to be necessary in this case and the points of dispute contained in the order of reference were adopted as issues in this case. Three witnesses were examined on behalf of the first party as WW 1 to WW 3 and exhibits W-1 to W-23 were got marked by the first party. On behalf of the second party the evidence of one witness MW 1 examined in Ref. (ID) (LCM) No. 1/73 was agreed to be the evidence also in this case and it was ordered accordingly (**vide** order sheet, dated 30th August 1974). Exhibits M-1 and M-2 were got marked in this case for the second party.

5. It is not disputed that Sri P. Gopalakrishna Bhat, the first party workman was aged about 32 years when he was appointed as a temporary clerk on 1st December 1969. It is also not disputed that at his request he was deputed for Co-operative training at Coorg and he passed his Co-operative training in first class. He was again taken as a temporary clerk from 4th October 1971 subject to the approval of the Assistant Registrar. It is also not disputed that in December 1971 the Board of Directors of the II Party Society took a decision and directed the first party to work as a Salesman in Kanyana Branch. It is also not disputed that the first party was agitating for payment of salary in accordance with the scale approved as he was being paid only Rs. 100 per month and he was also asking for payment of salary during the period when he was sent

for training. (Exhibit W-11). The first party workman was given a notice on 18th December 1971 by the second party asking him to work as a Salesman and the first party workman requested the second party to continue him as a clerk by his letter dated 23rd December 1971 Ex. W-14. On 3rd January 1972 the first party workman and another were asked to be in charge of sales section till the expiry of leave taken by the Salesmanager Sri Narayana Bhat who had taken leave from 1st January 1972 for one month. But inspite of that the first party did not take up the work as salesman and he did not do so inspite of issue of notice. As per Ex. W-18, dated 21st February 1972 the second party ordered the first party workman to take up the charge of Salesman by 22nd February 1972. He was also warned that his services would be terminated if he did not obey the orders. As the first party did not take up salesman's charge on 22nd February 1972 the second party terminated his services.

6. It is not disputed the second party Bank which is a Co-operative Society is governed by the Karnataka Co-operative Societies Act and Rules. It is also not disputed that under Rule 18 of the Mysore Co-operative Societies Rules, 1960 the age limit for entry into service of a Co-operative Society is 30 years and except with the previous permission in writing of the Registrar, no person, whose age exceeds thirty years shall be appointed to any post in the service of a co-operative society. Of course, there is a proviso to the effect that where any post has to be filled by a person of high qualifications and special experience the age restriction may be relaxed with the previous approval of the Registrar. In his case it is admitted that the first party workmen was aged at least 32 years at the time when he was appointed as a clerk in the second party society. It is also admitted that no previous permission in writing of the Registrar was obtained before he was appointed. So under the Rules of the Co-operative Society the appointment of the first party workman was initially irregular and against rules. Section 1965 II L.L.J.

page 315 (Newspaper Publishers (Private) Ltd., Mangalore-vs-Their Workman by S. K. Press Workers Union, and another. It is also admitted that no subsequent sanction of the Registrar has been obtained for his appointment either by the Society or by the first party workman. In thea bove circumstances it cannot be held that the first party workman was an employee of the second party in the legal sense and therefore he cannot be called a workman and therefore in my opinion the reference itself is not maintainable and the first party cannot get any relief in this reference.

7. It was urged by Sri Ghate, the learned representative for the first party that as the second party had appointed him they were estopped from saying that the appointment of first party workman was irregular or invalid as per rules. In my opinion his argument has no force as there is no estoppal against law or rules framed in accordance with law. Nodoubt it is stated in the Written statement of the second party that in anticipation of the sanction of the Assistant Registrar of Co-operative Societies, the first party workman was appointed on 4th October 1971 as salesman in the second party establishment and the President was authorised to ascertain the opinion of the Asst. Registrar of Co-operative Societies, Puttur and the Asst. Registar, directed the second party to employ the said Sri Gopalakrishna Bhat as saleman in the Bank. Even taking for granted that the second party had appointed him as a sanction or as a clerk in anticipation of the sanction of the Assistant Registrar, even then in my opinion, the appointment of first party workman was irregular. Under Rule 18 of the Co-operative Societies Rules, 1960 the previous permission should be taken in writing of the Registrar before appointing any person whose age exceeded thirty years. Therefore, even granting for the sake of arguments that the Assistant Registrar, had given his approval for the appointment of the first party, even then it is not in accordance with the Rules. So far all the reasons stated above. I am of opinion that the

first party workman cannot maintain this reference and no relief can be given to him in this reference as he was over aged when he was appointed by the second party. It is true that the second party had not taken a plea specifically that the appointment of first party was not in accordance with law andt herefore, the reference was bad in law but it is not disputed that the first party workman was aged more than 30 years as when he was initially appointed under the second party. As that fact is not indispute I am of opinion that the second party is not precluded from raising that question of law even though it had not taken that point specifically in its written statement.

8. Even on the merits of the case, the first party workman di not obey the orders of the management as he did not taken charge of salesman's post as directed by the second party and in spite of issue of a notice dated 21st February 1972 Ex. W-18 by which notice he was intimated that his services would be terminated if he did not take charge. It is admitted that he did not take charge of salesman's post inspite of notice and that therefore his services were terminated by the second party. In the above circumstances it cannot be held that the action of the second party in terminating the services of the first party workman was **mala fide.** Hence on merits also the first party workman has no case. Therefore his prayer for reinstatement to his original post of a clerk with continuity of service and full back wages etc., cannot be granted in this reference.

9. In the result, I pass an award holding that the second party management is justified in terminating the services of Sri P. Gopalakrishna Bhat from 23rd February

1972 and that the said Sri P. Gopalkrishna Bhat is not entitled to any relief in this reference. In the circumstances of the case the parties are directed to bear their own costs.

Mangalore,
Dated: 17th March 1975.

H. S. VENKATASUBBAIAH,
Presiding Officer,
Labour Court, Mangalore.

Order No. SWL 79 LLA 75,

Bangalore, dated the 2nd April 1975

S. O. 1149.—

Whereas by State Government Order No. FCL 1231 LLD 72, dated 6th February 1973, the Industrial Dispute between the workmen and the management of Karopady Agricultural Co-operative Bank Ltd., Karopady, Bantwal, South Kanara, was referred to the Labour Court, Mangalore, for adjudication.

And, Whereas the Labour Court, Mangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, Therefore, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the **Karnataka Gazette.**

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—

Industrial dispute between the workmen and the management of Hotel Shyamala, Chandragupta Road, Mysore.

Award of the Presiding Officer, Labour Court, Bangalore, published.

Read the following papers :

(1) Letter No. 2204/74-75, dated 12th March 1975 from Sri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 5th day of March, 1975

Present:

Shri P. Srinivasacharya, B.A., LL.B.,
Presiding Officer.

Reference No. 118 *of* 1974

First Party.—

M. Sridhar, C/o General Employees Union, Laxmi Building, Opposite Town Hall, Mysore-1.

and

2. H. B. Murulidhar, C/o General Employees Union, Laxmi Building, Opposite Town Hall, Mysore-1.

Vs.

Second Party.—

The Management of Hotel Shyamala, Chandragupta Road, Mysore.

Reference.—Government Order No. SWL 1564 LLD 73, dated 9th July 1974.

AWARD

1. The Government of Karnataka in their Order No. SWL 1564 LLD 73, dated 9th July 1974 have referred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below:—

"Whether the management of Hotel Shyamala, Chandragupta Road, Mysore, are justified in dismissing the services of the following workers from the dates mentioned against them:

1. Sri M. Sridhar, Coffee Maker, with effect from 17th May 1973.

2. Sri H. B. Murulidhar, Server, with effect from 4th June 1973.

If not, what relief are the said workers entitled to?"

2. The first party filed their claim statement on 16th August 1974 and the second party has not filed its counter-statement. Today when the case was called on at Mysore camp, and both parties filed a joint memo and prayed for an award in terms of the same. I have verified the said joint memo. The terms are fair and reasonable. Hence I accept the same.

3. In the result, I pass an award in terms of the joint memo which shall be annexed to this award and be deemed as forming part of it. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE LABOUR COURT, BANGALORE

Reference No. 118/74

I Party.—

M. Sridhar.

Vs.

II Party.—

Management of Hotel Mone, Mysore.

The parties hereto submit that they have settled the dispute as per terms set out hereunder and they pray for an award being passed as per the terms.

I. The II Party agrees to pay and the I Party agrees to receive a sum of Rs. 240 (Two hundred and forty rupees) in full settlement of the demand for reinstatement with back wages.

II. I Party is not pressing the demand.

III. The amount aforesaid will be paid by the II Party on or before 21st March 1975. This is in full settlement of all the demands of the I Party.

Sd.....
Prop., Hotel Mone,
Chandragupta Road,
Mysore.

Sd.....
Employee.

Sd.....
President,
M. District General Workers Union.

ORDER No. SWL 77 LLA 75,

Bangalore, dated the 31st March 1975.

S.O. 1150.—Whereas by State Government Order No. SWL 1563 LLD 73, dated 9th July 1974 the industrial dispute between the workmen and the management of Hotel Shyamala, Chandragupta Road, Mysore, was referred to the Labour Court, Bangalore for adjudication.

And whereas the Labour Court, Bangalore, has submitted to the State Government its award in respect of the said industrial dispute.

Now, therefore, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secy. to Govt., S.W. and L. Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR DEPARTMENT

Labour Dispute.—Industrial Dispute between the workmen and the Management of City Municipal Council, Mysore.

Award of the Presiding Officer, Additional Industrial Tribunal, Bangalore, published.

Read the following papers.

(1) Letter No. AIT/4/75-76, dated 4th April 1975, from Sri G. S. Bhagwat, Presiding Officer, Additional Industrial Tribunal, Bangalore.

BEFORE THE PRESIDING OFFICER ADDITIONAL INDUSTRIAL TRIBUNAL, BANGALORE.

Dated this 3rd day of April, 1975

PRESENT :

Shri C. S. Bhagwat. B.A., LL.B.,

Presiding Officer.

A.I.D. No. 13 *of* 1974

I-Party.—

Workman of City Municipal Council, Mysore. represented by Sri K. C. Viswanathan, No. 293/3, III Block West Uttaradhi Mutt Road, Fort Mohalla, Mysore.

Vs.

II-Party.—

The Management of City Municipal Council, Mysore by its Commissioner.

Appearances

For the I-party.—Sri M. C. Narasimha Swamy, Advocate, Bangalore.

For the II-party.—Sri G. R. Govinda Singh, Mcnicipal Advocate, City Municipal Council, Mysore.

AWARD

The Government of Karnataka being of opinion that an Industrial Dispute existed between the workman and the Management of the City Municipal Council, Mysore referred the said dispute by their Order No. SWL 34 LLD 74, dated 26th June 1974 to this Tribunal under Section 10 (1) (d) of the Industrial Disputes Act, 1947 for Adjudication on the following points of dispute;

"Is the management of City Municipal Council, Mysore justified in retrenching the services of Sri K. C. Viswanathan, Measurer-*cum*-depot clerk with effect from 1st October 1970?

If not what relief the said workman is entitled to?"

2. On receipt of the said reference the same came to be numbered as A.I.D. 13/74 and notices were issued to the parties to file their statements of demand.

3. The concerned workman K. Viswanath (hereafter called as the I party) filed his claim statement on 20th August 1974. The case of the I-party is that he was appointed as a measurer-*cum*-clerk in the depot of City Municipal Council by an Order No. MFS 11/58-59, dated 7th November 1958 in writing signed by the Municipal Commissioner of the City Municipal Council, Mysore. He was a full-time employee of the City Municipal Council, Mysore and was a workman under the provisions of the Industrial Disputes Act. From the date of his appointment, he continued to work directly under the City Municipal

Council as a measurer-*cum*-depot clerk. While this being so in October, 1970, the management of City Municipal Council, Mysore through its Revenue Officer directed him to hand-over complete charge of A. K. Puram depot to a Central depot clerk immediately as the depots were ordered to be closed with effect from 1st October 1970, as per the memo No. MFS 75/69-70, dated 1st October 1970. By this memo he was not terminated from his work nor was he told to work. His representations to the management to put him back in his place of work were of no avail. The management of City Municipal Council, Mysore finally informed him that nothing more could be done in this matter by its official memo No. C. 8 PR(2) 251/71-72, dated 21st April 1974. The management of City Municipal Council did not issue him any notice of retrenchment nor paid any compensation for retrenchment.

The retrenchment being illegal and unjust, he approached the Assistant Labour Commissioner, Mysore Division for conciliation. During the process of conciliation the management of City Municipal Council admitted its fault, but failed to give any relief to him. The retrenchment is unjust, illegal and beyond the powers of the City Municipal Council. Hence he prayed for reinstatement in his former post with continuity of service and full backwages due to him.

4. The management of the City Municipal Council, Mysore by its Commissioner (hereafter called as the II-party) filed its counter on 21st September 1974. The contentions of the II-party briefly are these:

The I-party was appointed as measurer-*cum*-depot-clerk by the Food Committee, consisting of the President of the City Municipal Council as Chairman and 4 to 5 Municipal Councillors as members of the Food Committee. It is an independent body, maintained out of its own funds and it is not aided by the City Municipal Council. The appointment, payment of salary to employees, removal of

the employees from service and other issues were being decided by the Committee and not by the II Party. The Municipal Commissioner was only looking after the general supervison of these fair-price depots. The II-party is not the appointing authority. The I-party is not a workman within the definition of the Industrial Disputes Act and much less a workman under the II-party. It denied the other averments made in the claim statement and submitted that the claim of the I-party may be dismissed with costs.

5. On the above pleadings, after hearing on both sides the following additional point of dispute also set down on 5th November 1974 for adjudication:

Whether the I-party proves that he was an employee of the II-party as defined under the Industrial Disputes Act?

6. In the meanwhile an application was filed on behalf of the I-party on 21st September 1974 to grant him interim maintanance of Rs. 100 per month and directed the II-party to pay the same to the I-party pending final disposal of the main reference, supported by an affidavit. The II-party by its objection filed on 7th October 1974 opposed the application on the ground that there is no provision under the Industrial Disputes Act, 1947 for such interim relief and that the I-party is not an employee under the II-party and so on.

7. Heard Advocates on both sides. It was agreed that the main reference itself be disposed off on merits and on this understanding the petition presented on behalf of the I-party on 21st September 1974 was filed, the same not being pressed.

8. In support of their respective contentions on behalf of the I-party the concerned workman was examined as WW-1 and Exts. W-1 to W-5 were marked and M.W-1

K. Sundaraj Iyengar. M.W-2 R. S. Nagaraj were examined and M-1 to M-6 were marked on behalf of the II-party.

9. Admittedly in about the year 1957 the City Municipal Council, Mysore constituted a Food Committee under Section 63(3) in its discretionary functions under Section 91(P) of the Mysore Municipalities Act, 1964. The said Committee consisted of 4 or 5 councillors headed by the President of the City Municipal Council as its Chairman. The said Committee was running about 18 Municipal Fair-price depots since 1957. The I-party workman was appointed as a measurer-*cum*-depot clerk in Erangere Depot on a pay scale of Rs. 13 plus 17 D.A. per month, by an Order Ext. W-1 No. MFS 11/58-59, dated 7th November 1958 and this memo was signed by the Municipal Commissioner of the II-party. In the year 1959 the I-party workman was transferred from Nazrabad depot to Erakatte depot as per Ex. W-2. Again in the month of July, 1959 the concerned workman was transferred from Erakatte to Asokpuram depot with immediate effect. Both these memos were issued from the City Municipal Council, Mysore (Food Section) and signed by the Municipal Commissioner. In October, 1970, the II-party through its Revenue Officer, directed the I-party to hand-over complete charge of the concerned depot to a Central depot clerk, M.W-1 Sundaraj Iyengar. immediately as the fair-price depots referred to in the memo were ordered to be closed with effect from 1st October 1970, as per Ext. W-4. The result was that the I-party was left high and dry. He many a times demanded that he be taken back to work as his retrenchment was illegal and unjust, but all his efforts were in vein and finally the II-party informed the concerned workman that nothing more could be done in this matter by Ext. W-5 memo No. C.8 PR (2)251/71-72 dated 21st April 1972.

10. Now the case of the I-party workman is that he was a full-time employee of the II-party and was workman under the provisions of the Industrial Disputes Act and

therefore, he is entitled to protection under the Industrial Disputes Act, 1947.

11. Percontra the case of the II-party appears to be that the Food Committee is an independent body maintained out of their funds and it is not aided by the Municipal Council. The service condition of the employees of the Food Committee was being decided by the said Committee and not by the II-party. The Municipal Commissioner was only looking after the general supervision of the fair-price depots. Therefore, the I-party is not a workman within the definition of the Industrial Disputes Act and much less under the II-party and it was further contended that the conduct of the I-party is such that he is not entitled to any relief. In this connection the II-party relied on the evidence of M.W-1 K. Sundaraj Iyengar clerk in the Municipal Fair Price Depot, M.W.-2 R. S. Nagaraj, clerk in the Municipal Council and Exts. M-1 and M2, Ext. M-1 is the proceeding book and Ext. M-2 is the acquittance roll. None of these is going to help the II-party in any way to show that the Food Committee is an independent body and the service conditions of the employees employed in the Municipal Fair price Depots were being decided by the Committee and not by the II-party.

12. It is now evident from the material available on record that the II-party is responsible for maintaining the Faire-price Depots for the sale of the necessaries of life under the provisions of Section 91(P) of the Mysore Municipal Act, 1964. The II-party it appears handed over to the Food Cmmittee the task of running the Fair-price depots. We were not told by the II-party that the wages were being paid to the I-party by the Food Committee nor is there anything on record to show that the I-party was appointed by the Food Committee. On the other hand we have the evidence of M.W-1 Sundaraj Iyengar to the effect that the salaries were paid to the depot clerks and measurers out of the Rice Purchase Account of the City Municipal Council, Mysore. Rice Purchase Account is

being continued till now. The Municipal Administrator is operating the Rice Purchase Account. After the supersession of the Municipal Council the officer of the Divisional Commissioners' grade is appointed as an Administrator. The Food Committee is not a company. It is not registered, nor even a society. The Municipal President was the Chairman of the Committee. His supervising authority is the Commissioner at present. We are to bear in mind here that this M.W-1 is also working as a clerk in the Mysore Municipal Fair Price Depots since 1958. Another witness M.W-2 R.S. Nagaraja is working in the Establishment Section. He is the case worker and he is in custody of the case file of the I-party workman. According to him the Food Committee office is in the Municipal building. His supervising authority is the Municipal Commissioner. The salary and cheques were being signed by the Commissioner and now that work is delegated to the Manager. All these put together go to point out that there was a statutory obligation on the part of the II-party to provide fair-price-depots and this obligation had been discharged by the II-party by entrusting that task to the Food Committee, even though there is no positive evidence of such entrustment of work in the present case. One another thing we are to note here is that Ext. W-1 was signed by the Municipal Commissioner and it is because under Section 342 of the Mysore Municipal Act, 1964, it is the Commissioner or Chief officer, who alone is empowered to appoint a competent person to any post under the Municipal Council, the monthly salary of which does not exceed Rs. 60. At the time of the appointment of the I-party *vide* Ex. W-1 admittedly his total emoluments did not exceed Rs. 60 per month.

In these circumstances it is idle to suggest that the I-party was appointed by the Food Committee which was an independent body and that the II-party has nothing to do with his appointment. Exts. M-1 the so called proceeding book of the Food Committee and Ext. M-2 containing the wages paid to the depot clerks and measures including

the I-party workman do not at all throw any light on the subject that the I-party workman was employed by the Food Committee and his wages were being paid by that committee. None of these books bear the seal of the Food Committee and nobody examined to speak to the authentication of these books. On the contrary the concerned workman W.W-1 Viswanath states positively that he was appointed by the Commissioner of the City Municipal Council, Mysore in 1958. He was working directly under the control and supervision of the II-party and was liable to be transferred at the will of the II-party and was a workman within the definition of the Industrial Disputes Act. In this regard he finds support from Exts. W-1, W-2 and W-3. There is nothing to contradict him on these points and further we find that M.W.-1 K. Sundaraj Iyengar also supports the case of W.W-1 to some extent. We are to bear in mind here that this M.W-1 is also working as clerk in the Fair price depot since 1958. Though he states that the Food Committee is not existing now on account of the supersession of the Municipal Council in the year 1972 in his cross-examination he was made to admit that the Food Committee is not superceeded. Notwithstanding the closure of some fair price depots for running at loss he is same continued as depot clerk and his supervising authority is the Commissioner at present. In the circumstances, I am clearly of the opinion that the Food Committee was only a wing of the II-party and in the instant case the I-party has satisfactorily proved that the II-party is his real employer by reason of his appointment from 7th November 1958 and continued in force and was deemed to have been made under the Mysore Municipal Act, 1964 and that he is an employee of the II-party within the definition of the employee under the Industrial Disputes Act and so my finding on the additional issue is recorded in the affirmative.

13. Now coming to the main points of dispute, the I-party workman W.W-1 has proved that he worked as a depot clerk in the Municipal Fair price depot for a period

of 12 years commencing from the year 1957. In October, 1970 the II-party through its Revenue Officer directed him to hand over complete charge of the depot where he was working to a Central Depot clerk immediately as the depots mentioned in the memo were ordered to be closed with effect from 1st October 1970 as per Ext. W-4. It is seen that by this Ext. W-4 the I-party was not terminated from his work nor was he told to work. He made representations to the II-party management (*vide* Exts. M-3 and M-4) that he be taken back to work as he so-called retrenchment was illegal and unjust. But it appears that all his efforts were in vein and finally the II-party informed him that nothing more could be done in this matter by its endorsement Ext. M-5 and Ext. W-5 which is a true copy of the same. In the conciliation proceedings before the Assistant Labour Commissioner, Mysore Division Mysore, in the statement Ext. M-6 filed on behalf of the II-party, it was admitted that the I-party workman worked as a measurer and fair price depot clerk since 7th November 1958 to 31st July 1959 and from 1st August 1959 to 30th September 1970. The case of the II-party appeared to be that the retrenchment of the I-party workman from the fair price depot was due to poor sales in far price depot and so he became unemployed from 1st October 1970. Further it is seen that even the request of the I-party workman to appoint him to any of the class-III or class IV post made on 23rd March 1972 was turned down by the II-party, on the ground that the I-party workman is overaged and in view of the mode of recruitment prescribed in the Municipalities (Recruitment of officers and servants) Rules 1971 to the class 4 posts that they have to be appointed by direct Recruitment and no other method of recruitment is prescribed. In this way we find that the I-party workman was left high and dry.

14. In the instant case admittedly no notice or no pay in lieu of notice for one month was given to the concerned workman by the II-party. So also no compensation due to the I-party was given by the II-party at the

time of the so called retrenchment. Likewise no notice under Shops and Establishments Act was given to the I-party at the time of the so called retrenchment and thus even the provisions of the Shops and Establishments Act were not complied with. It has come in the evidence of W.W.-1 that one Ammer Ahmed junior to him appointed as a Depot clerk is still in service of the II-party. This fact was not at all disputed by the II-party. W.W.-1 is positive that Ammer Ahmed is still serving as a depot clerk in Eranagere depot. If this is a fact then the so called retrenchment was not according to Section 25 (C) of the Industrial Disputes Act, 1947, in that Ameer Ahmed who is Junior to the I-party workman in service was retained in service while the I-party who had put in 12 years of service was sent out by Ext. W-4, which is most ambiguous. It appears strange that the management should transfer the I-party workman who had put in 12 years of service to the depot which was about to be closed and thus forced the concerned workman out of work and that too when his junior Ameer Ahmed was retained. This clearly violates the provisions of Section 25 (C) of the Industrial Disputes Act. The so-called retrenchment further appears to be unjust and illegal, in view of the fact that no opportunity was given to the I-party to explain, how and why he should not be retrenched and how he was senior to other persons who were retained in service. Thus we find that the order of so-called retrenchment is against the principles of natural justice, in that it was made behind the back of the I-party who was not given an opportunity to contest it and to explain his case to the II-party. Further it is a well laid law that a person who appoints is alone the proper person to retrench or to dismiss or to terminate the services of the workmen. In the present case the so-called retrenchment order Ext. W-4 had been passed by the Revenue Officer who according to me was incompetent to pass the order of so-called retrenchment. We are now aware that the person who appointed the I-party was the Municipal Commissioner of the II-party and therefore, he alone was the proper person to retrench or to dismiss or to terminate the

service of the I-party workman. So also it is seen that Ext. W-4 which according to the II-party is the order of retrenchment, does not give valid reasons. The reason which is ostensibly stated in Ext. W-4 to my mind appears to be fictitious. The II-party did not even consider the case of the I-party workman sympathetically and had not taken him to work, although opportunities for employing him as depot clerk and vacancies of peons arose immediately after the so-called retrenchment, in that the II-party has violated Section 25 (H) of the Industrial Disputes Act. A vague attempt was made on behalf of the II-party to show that loss was incurred by Asoka Puram depot and it was due to mis-handling of the affairs of the depot by the I-party workman, to justify the action taken by the management against the I-party workman. But we are to bear in mind here that no opportunity was given to the I-party to explain how and why the loss was incurred by the Asoka Puram depot and that he was not responsible for the same. It appears that it was made behind the back of the I-party who was not even given an opportunity to contest it and to explain his case to the II Party. So viewed from any point, so-called retrenchment order passed by the II Party through its Revenue Officer which is at Ext. W-4, against the I Party workman is not justified and to my mind it is unjust, illegal and beyond the powers of the II Party and so I record my finding on main points of dispute in negative.

15. In the result, the above reference is allowed and I pass the following Award:—

The Management of the II Party is directed to re-instate the I Party workman Sri K. C. Viswanath in his former post with continuity of service and full backwages to him.

Parties to bear their own costs.

Dictated to the Stenographer, transcribed by him and corrected by me.

G. S. BHAGWAT,
Presiding Officer,
Additional Industrial Tribunal, Bangalore.

"Copy"

G. S. BHAGWAT,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

Order No. SWL 91 LLA 75,

Bangalore, dated the 18th April, 1975.

S.O. 1511.—WHEREAS by State Government Order No. SWL 34 LLD 74, dated 26th June 1974 the Industrial Dispute between the workmen and the management of City Municipal Council, Mysore, was referred to the Additional Industrial Tribunal, Bangalore, for adjudication.

AND, WHEREAS the Additional Industrial Tribunal, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers cosferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above. in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour dispute.—Industrial dispute between the workmen and the Management of Chowdeshwari Textiles, Mysore.

Award of the Presiding Officer, Labour Court, Bangalore, published.

Read the following papers:

(1) Letter No. 32/75-76, dated 3rd April 1975, from Sri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 3rd day of April, 1975

PRESENT:

Shri P. Srinjvasacharya, B.A., LLB.,
Presiding Officer.

Reference No. 126 of 1973

First Party—

Sri Mahadeva, represented by the President, Mysore Power Loom Workers Association, Door No. 3207/ M. 5, II Cross, B. B. Road, Bannimantap Extension, Mysore-7.

Vs.

Second Party—

The Management of Chowdeshwari Textiles, Mysore Bannimantap Extension, Mysore-7.

Reference.—Government Order No. SWL 1082 LLD 73, dated 3rd December 1973.

AWARD

1. The Government of Karnataka in their Order No. SWL 1082 LLD 73, dated 3rd December 1973 have referred an indstrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below :—

"I. Is the Managemest of Chowdeshwari Textiles, New Bannimantap Extension, Mysore, justified in refusing work to Sri Mahadeva, an empoyee, with effect from 27th November 1972 ?

II. If not, is the said employee entitled for reinstatement, with back wages and continuity of service or to any other relief ? "

2. On receipt of the reference, it was registered as Referesce No. 126 of 1973 and notices were issued to the parties which were duly served on them. On behalf of the first party, the President of the I Party Association had sent an application by post praying for time to file the Claim Statement. This application was dated 1st January 1974 and was received on 3rd January 1974. Time was granted sufficiently. Thereafter on 25th February 1974, again I Party prayed for time to file the claim statement, but after that date neither first party was present nor was represented. The second party also remained absent. Since both

the parties remained absent and did not evince any interest, the reference is fit to be rejected.

3. In the result, I Pass an award rejecting the reference. No. costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

"Copy"

P. Srinivasacharya,
Presiding Officer,
Labour Court, Bangalore.

Order No. SWL 102 LLA 75,

Bangalore, dated the 25/29th April 1975.

S. O. 1152.—

WHEREAS by State Government Order No. SWL 1082 LLD 73, dated 3rd February 1973 the Industrial dispute between the workmen and the Management of Chowdeshwari Textiles, Mysore, was referred to the Labour Court, Bangalore, for adjudication.

AND WHEREAS the Labour Court, Bangalore, has submitted to the State Government its award in respect of the said industrial dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT.

Labour Dispute:—Industrial Dispute between the workmen and the management of the Administrator, Basavangudi Co-operative Society Ltd., Gandhi Bazar, Bangalore-560004

Award of the Presiding Officer, Labour Court, Bangalore Published.

Read the following papers:

(1) Letter, No. 1868/74-75, dated 29th January 1975 from Sri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER,
LABOUR COURT, BANGALORE.

Dated 29th January 1975.

Present:
Shri P. Srinivasacharya, B.A., LL.B.,
Presiding Officer:

REFERENCE No. 184 of 1974.

First Party:

K. R. Ranganathaswami, S/o Sri K. Ramaswamy, 77, Rathnavilas Road, Basavangudi, Bangalore-560004.

Second Party:

The Administrator. Basavanagudi Co-operative Society Ltd , Gandhi Bazar, Bangalore-560004.

Reference:

Government Order No. SWL 878 LLD 74 dated 18th November 1974.

AWARD

1. The Government of Karnataka in their order No. SWL 878 LLD 74, dated 18th November 1974, have referred an industrial dispute existing between the

abovenamed parties to this Court for adjudication on the points of dispute noted below:—

"Are the management of Basavanagudi Co-operative Society Ltd., Gandh Bazar, Basavanagudi Bangalore-4 justified in terminating the services of Shri K R. Ranganathaswami with effect from 21st February 1971?

"If not, to what relief is the said workmen entitled?"

2. On receipt of the reference, it was registered as Reference No. 184 of 1974 and notices were issued to the parties to file their respective statements. Both did not file their statements. However today when the case was called on, first party was present in person and for second party an advocate appeared The first party submitted on application seeking permission to withdraw his claim. The first party is permitted to withdraw his claim.

3. In the result, the reference is rejected a swithdrawn and not pressed. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.

ORDER No. SWL 33 LLA 75.

Bangalore da ed 20th February 1975

S. O. 1153. Whereas by State Government Order No. SWL 878 LLD 74, dated 18th November 1974 the Industrial Dispute between the workmen and the management of Administrator, Basavanagudi Co operative Society Ltd., Gandhi Bazar, Bangalore-560004, was referred to the Labour Court, Bangalore for adjudication.

And Whereas the Labour Court, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, Therefore, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Gove nment of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA.
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT.

Labour Dispute:—Industrial Dispute between the workmen and the management of Metre Clearing and Forwarding Co., No. 130, Infantry Road, Bangalore.

Award of the Presiding Officer, Labour Court, Bangalore, published.

Read the following papers :

(1) Letter No. 1929/74-75, dated 12/17th February 1975, from Shri P. Srinivasacharya, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE,

Dated this 12th day of February 1975.

Present:

Shri P. Srinivasacharya, B.A., LLB.,
Presiding Officer.

Reference No. 168 of 1974.

First Party:—

1. R. S. Pushparaj, 2. T. Ravi, 3. S. Vincent, 4. M. Devaraj, C/o Bangalore Engineering and General Workers Union, No. 5, Lady Curzon Road, Bangalore-560001.

Vs

Second Party:—

The Management of Metre Clearing and Forwarding Co., No. 130, Infantry Road, Bangalore-560001.

Reference:- Government Order No. SWL 1149 LLD 73. dated 11th October 1974.

AWARD

1. The Government of Karnataka in their Order No. SWL 1149 LLD 73, dated 11th October 1974 have referred an industrial dispute existing between the above-named parties to this Court for adjudication on the points of dispute noted below :—

"Are the management of Metre Clearing and Forwarding Company No. 130, Infantry Road, Bangalore-1 justified in refusing work to the following workmen with effect from the dates noted against them ?

Sri R. S. Pushparaj	with effect from 16th June, 1973.
Sri T. Ravi Sri S. Vincent Sri M. Devaraj	with effect from 20th June, 1973.

If not, what relief the workmen are entitled to ?"

2 The reference was registered as reference No. 168 of 1974 and notices were issued to the parties to file their statements. The notices were duly served on the parties. In spite of service, the first party failed to file their claim statement and remained absent from the very beginning. The second party was present on all the hearings, and on the very first hearing the second party filed a statement along with a copy of the memorandum of settlement, dated 6/7th November 1973 saying that the dispute had been settled between the parties even 10 months earlier to the date of reference. In the absence of any rebuttal evidence on the party of the first party, I have no reason to disbelieve the statement of the second party. In the circumstances, the reference is fit to be rejected.

3 In the result, I pass an award rejecting the reference. No costs.

P. SRINIVASACHARYA
Presiding Officer.
Labour Court, Bangalore

ORDER No. SWL 61 LLA 75.,

BANGALORE, DATED THE 10TH MARCH 1975.

S. O. 1154.—

WHEREAS by the State Government Order No. SWL 1149 LLD 73, dated 11th October 1974 the Industrial Dispute between the workmen and the management of Metre Clearing and Forwarding Co., No. 130. Infantry Road. Bangalore. was referred to the Labour Court, Bangalore, for adjudication.

AND WHEREAS the Labour Court, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE. in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette*.

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
2330 *Social Welfare and Labour Department.*

FINANCE SECRETARIAT

Notification No. FD 46 BSD 74

Bangalore, dated 7th May 1975.

S. O.1155.—In exercise of the powers conferred by sub-section (1) of Section 187-A of the Companies Act, 1956 (1 of 1956), the Governor of Karnataka hereby appoints the Secretary or a Deputy Secretary to the Government of Karnataka in the Finance Department to act as his representative at any meeting of a Company or at any meeting of any class of members of the Company of which he is a member, and to exercise the same rights and powers (including the right to vote by proxy) as the Governor of Karnataka could exercise as a member of the Company.

MOHANLAL SUKHADIA,
Governor of Karnataka.

By Order and in the name of the Governor of Karnataka,

S. KRISHNA KUMAR,
Deputy Secretary to Government,
Finance Department (B. & R).

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HOME SECRETARIAT

Notification No. HD 185 TMA 74.

Bangalore, dated 22nd November 1974.

S. O. 1156.—In exercise of the powers conferred by Rules 316 and 341 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka hereby exempts the tractor-trailer belonging to Larsen and Toubro Limited, Bangalore, described in the scheduled below from the provisions of the Rules 200, 201, 202 and Rule 319 (ii) of the said rules for transportation of proclain Hydraulic Excavator on a tractor-trailer from Bellary to Hubli and thereafter from Hubli to Goa (Upto Karnataka State Border through National High Way)—Subject to the following conditions:—

1. Permission is valid for the portion of the route from Bellary to Hubli or from Hubli to Goa (upto Karnataka State border through National High Way).

2. The maximum G.L W. and Axle weight should not exceed 33,500 Kgs. and 8,000 Kgs. respectively.

3. Tractor-trailer should be conveyed on the route indicated above and should not carry any load other than proclain Hydraulic Excavator.

4. The vehicle will have to be run by M/s. Larsen and Toubro Limited, Bangalore, at their own risk and they shall be responsible for any damages that may occur to the road and the road structure either directly or indirectly due to the movement of the vehicle and they shall be liable for all damages as assessed by the Public Works Department.

5. The State Government shall not be responsible for any damages that may be sustained either by the vehicle or its contents or its occupants consequent on the movement.

6. The vehicle shall move without any hinderance to normal flow of traffic and pedestrains.

7. The speed of the vehicle shall not exceed 35 Km. P.H. on road structure.

8. The movement of the vehicle should be completed as early as possible. The permission is valid only for a period of three months from the date of issue of the notification and only for the route indicated above.

9. The vehicle should be driven between 6 a. m. to 6 p. m.

9 (a) Sufficient care should be taken to drive the tractor-trailer while crossing sagging Electric Wires or Telephone wires.

10. All necessary warning signals such as Red flags etc. shall be prescribed to indicate the extremity of the vehicle both lengthwise and breadthwise.

11. The strengthening of week culverts and bridges if any required for passing the vehicle shall be done at cost of the party. In the case of culverts with burnt stone slab coverings and other week culverts, suitable strengthening with supports should be provided as directed by the P.W.D., by the Larsen and Toubro at their own cost or a bed level diversion with hard passage should be provided at these crossings at the cost of the firm.

12. The executive Engineers of the concerned National High Ways Division, Public Works Department shall be informed in advance, the date of the movement of the vehicle.

13. If there are culverts under construction on the route indicated above, the vehicle should come to a stop at the approaches of all culverts and bridges and then proceed at a speed not exceeding 16 Km. P.H. The vehicle mus also be brought to a stop when there are vehicles from the rear and front while crossing bridges and culverts.

14. The grant of this exemption to the vehicle does not prevent the local P.W.D. officers from regulating and stopping the movement of the vehicle depending upon the exigencies of the situation and having regard to the condition of the roads and cross drainage works.

15. The Larsen and Toubro should pay the Motor Vehicles tax in advance due to this State as per the higher laden weight permitted. The grant of this exemption is valid only when the Motor Vehicles Tax is paid in advance.

SCHEDULE

Tractor-trailer M.R.S. 7263.

Tractor :—Front axle.	...	5216	Kgs.
Rear axle (front).	...	7 69	Kgs.
Rear axle (Rear).	...	7069	Kgs.
Trailer :— Front-Rear axle.	...	7069	Kgs.
Rear-Rear-axle.	...	7069	Kgs.

Over all length of the tractor-trailer 52 feet.

Over all width of the Machine to be transported in the vehicle. 9' 2"

Over all height of the Machine to be tranrported in the tractor-trailer. 12' 9"

Unladen weight of tractor-trailer. 17,990 Kgs.

Weight of Proclain Hydraulic Excavator to be transported. — 15 500 Kgs.

Total laden weight. —33,500 Kgs.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

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HOME SECRETARIAT

Notification No. HD 37 TMA 75.

Bangalore, dated 5th April, 1975.

S.O.1157.—In exercise of the powers conferred by Rule 316 of the Karnataka Motor Vehicles Rules 1963, the Government of Karnataka being satisfied that the motor vehicles described in the Schedule below belonging to Sri. B. A. Jayaram, Janatha Tourists, Bangalore 9, can be used in public place without any danger to the public safety, hereby exempts the said vehicles from the provisions of sub-rule (2) of rule 203 of the said rules for purposes of plying them within the limits of Karnataka State subject to the condition these vehicles should not be plied on Ghat Roads.

SCHEDULE

Sl. No.	Chassis No.	Engine No.
1	AL-7566595	ALI-44116
2	AL-7566483	ALI-44283
Overall length :—	31'-5½"	Overhang : 60% of the wheel base.
Wheel base :—	210"	

By Order and in the name of the Governor of Karnataka

K. P RAMAKRISHNA.
Under Secretary to Government,
Home Department.

EDUCATION AND YOUTH SERVICES SECRETARIAT

Notification No. ED 18 TEC 75,

Bangalore, dated 8th May 1975

S. O.1158.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University Act 1956, the Government of Karnataka are pleased to sanction continuation of affiliation of the National Institute of Engineering, Mysore to the Mysore University, for the year 1974–75 for teaching the following courses subject to the conditions laid down by the Affiliation Commission and the Mysore University.

I. (1) Renewal of Affiliation for IV B. E. and V B. E. (SS) with a total intake of 120 students into Civil Mechanical, Electrical (Power) Electrical (E & C) in the ratio 40 40:20:20

(2) I B.E. (NSS) with a total intake of 120 students with Civil, Mechanical, Electrical (Power), Electrical (E & C) in the ratio 40.40. 20:20.

(3) For I and II M. E. Courses;

II. Fresh Affiliation for

(a) II B.E. (NSS) with a total admission strength (for third and fourth Semesters) of 120 for Civil, Machaniaal, Electrical (Power) Electrical (E & C) in the ration 40:40:20:20.

B.Sc , graduates may be admitted to the 3rd Semester of II B. E., (NSS) subject to the condition that the total strength in the II year does not exceed 120+10 per cent of the intake *i. e.* 132 students in total.

(b) Fresh Affiliation for starting part time Degree Course for employed Diploma holders (Evening College) with an intake of 40 students of Civil only with substantial staff for the teaching programme.

By Order and in the name of the Governor of Karnataka,

B. N. KRISHNAPPA,

199 *Under Secretary to Government,*
Education and Youth Services Department.

PUBLIC WORKS AND ELECTRICITY SECRETARIAT

Notification No. PWD 7 PPC 75.

Bangalore, dated 27th January 1975.

S. O.1159.—In pursuance of Article 22 of the Articles of Association of the Mysore Power Corporation Ltd., the Government of Karnataka hereby appoints, with immediate effect, Shri H. C. Srikantaiah, Minister of State for Power as a Director of Mysore Power Corporation Ltd., *vice* Shri T R. Satish Chandran, Shri H. C. Srikantaiah is also appointed as the Vice-Chairman of the said Corporation.

By Order and in the name of the Governor of Karnataka,

BHIM RAO,

2047 *Deputy Secretary to Government, Public Works and Elecy. Department.*

Notification No. PWD 32 FCR 73.

Bangalore, dated 20th January 1975.

S. O 1160.—In exercise of the powers conferred by Clause (2) of Article 283 of Constitution of India, the Governor of Karnataka is pleased to make the following further amendments to the Karnataka Public Works Accounts Code Vol. I *Viz.*, :—

In the said Code

Introduce the following as sub-para (d) in para 224 :

" d) : Excess/overpayments as soon as they are discovered should be adjusted in the next running account bill of the contractor and in case the final bill has already been paid the excess/overpayments made shall be recovered from the Security Deposit of the contractor, together with interest at 6 per cent or such other percentages as Government may decide from time to time from the date of payment to the date of recovery".

By Order and in the name of the Governor of Karnataka,

N. K. SITARAMIA,

2082 *Special Officer, Public Works and Elec. Department.*

PUBLIC WORKS AND ELECTRICITY SECRETARIAT

Corrigendum No. PWD 26 EBS 75.

Bangalore, dated 6th March 1975.

S. O.1161.—Please substitute the name Sri H. Shivaramaiah, II Grade Clerk, for Sri N. Srinivasaiah II Grade Clerk, against Sl. No. 4007 in Government Notification No. PWD 130 EEB 67, dated 20th/23rd September 1967.

By Order and in the name of the Governor of Karnataka,

BHIM RAO,
Deputy Secretary to Government,
2307 *Public Works and Elecy. Department.*

Notification No. PWD 57 FCR 73.

Bangalore, dated 31st January 1975.

S. O 1162.—In exercise of the powers conferred by Clause (2) of Article 283 of Constitution of India, the Governor of Karnataka is pleased to make the following further amendments to the Karnataka Public Works Account CodeVol. I *Viz.*.:—

In the said Code

(i) **Delete Para 419**

(ii) Delete the words "**in accordance with the foregoing rules and**" appearing in lines 3 and 4 of para 420.

(iii) Delete Para 422

iv) In Table of Contents on P. (vii) against "C. Local Loan Works" reference of paragraph "419" may be substituted by "**paragraphs 420 and 421**".

(v) In index on page xxiv) under "**Local Loan Works**" the following may be deleted;

General Rules	419
Limit of Expenditure	419, 422

By Order and in the name of the Governer of Karnataka,

N. K. SITARAMIA,
2097 *Special Officer, Public Works and Elecy. Department,*

PUBLIC WORKS AND ELECTRICITY SECRETARIAT.

Notification No. PWD 76 FCR 72.

Bangalore, dated 5th February 1975.

S. O. 1163.—In exercise of the powers conferred by Clause (2) of Article 283 of the Constitution of India the Governor of Karnataka is pleased to make the following further amendment to the K.P.W.A. Code Vol. I *Viz.*, :—

In the said code

Substitute "12 per cent" for the figure "5 per cent" occurring in Note 1 below Para 357.

By Order and in the name of the Governor of Karnataka,

N. K. SITARAMIA,

2098 *Special Officer, Public Works and Elecy. Department.*

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 27 LGN 75.

Bangalore, dated 26th April 1975.

S. O. 1164.—In exercise of the powers conferred by clause (1) of Article 299 of the Constitution of India the Governor of Karnataka hereby authorities the Deputy Directors of Public Instruction to execute on his behalf, within their jurisdiction, the agreements to be executed by the Presidents of the Managing Committees of High/Higher Secondary Schools run by the Municipalities, Taluk Boards and Town Panchayats, for taking over the said schools by the State Government in accordance with the Government Orders No. ED 40 SLB 70 dated 30th April, 1971 and ED 16 MML 72 dated 29th May, 1973.

MOHANLAL SUKHADIA
Governor of Karnataka.

By Order and in the name of the Governor of Karnataka,

M. L. RAMASWAMI,
Draftsman and, Ex-Officio,
Joint Secretary to Government,
Deptt. of Law and Parly. Affairs.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 113 MNI 75.

Bangalore, dated 12th May 1975.

S. O.1165.—Whereas the Government of Karnataka is satisfied that :—

(i) the areas, the situation, survey Nos. extent and boundaries and other details of which are specified in the schedule below situated within the limits of the Town Municipal Council, Gurmitkal are a source of danger to the Health, safety and convenience of the public of these areas and of their neighbourhood by reason of the said areas being insanitary; squalid and over-crowded ;

(ii) the buildings in the said areas used or intended to be used for human habitation are overcrowded and unfit for human habitation for want of repair, stability, freedom from damp, natural light and air, water supply, drainage and sanitary conveniences ;

Now therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Mysore Slum Areas (Improvement and clearance) Act; 1973 (Karnataka Act 33 of 1974), the Government of Karnataka hereby declare each of the said areas to be a slum area.

SCHEDULE

Sl. No.	Situation	Survey No. etc	Extent	Areas Boundaries			
				East	West	North	South
1	2	3	4	5			
			Sq. ft.				
1	Harijan Locality Main (No. I).	...	57447	Yadgir Road	Survey No. cultivated.	Cultivated land.	Road way to Town.
2	Harijan locality Kattalzari (No II)	...	13947	Approach Road.	Chilla	Land cultivated	High School way and step well
3	Harijan locality Narayanapur No. II	...	5670	Way to Narayanapura.	S N). Gurunath reddy.	Nala	Safdar Jungkatta.
4	Harijan Locality Gadimahal No. IV	...	5365	Survey No. cultivated	Post office road.	Fort way and Buruf	Agriculture field.
5	Harijan locality Jangalgiri (V)	...	7899	Shabaddin mohalla	Survey No. cultivated.	Way to Municipal office road.	Nala

2330

By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA,

Under Secretary to Government,
Health and Municipal Admn. Department.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 154 TTP 74.

Bangalore, dated 31st December 1974.

S. O.1166 .—In exercise of the powers conferred under section 4-C(3) (iii) of the Karnataka Town and Country Planning Act, (Karnataka Act No. 11 of 1963), the Government of Karnataka hereby appoints the following to be the members of the Planning Authority of the Gulbara City Planning Area constituted in Notification No. HMA 38 (1) MNP 65 dated 24th December 1966).

Members

1. The Administrator, Town Municipal Council, Gulbarga
2. Sri Basavaraj Patil Pala, Member, Taluk Development Board, Gulbarga.

By Order and in the name of the Governor of Karnataka

K. G. RAJANNA,
Under Secretary to Government,
1816 *Health and Municipal Administration Department.*

Notification No. HMA 299 FPS 74.

Bangalore dated 20th January 1975.

S. O.1167.—Sri A. L. Umakanthaiah, Statistician, State Family Planning Bureau, Directorate of Health and Family Planning Services, Bangalore is placed in independent charge of the post of the Lecturer in Statistics and Demography to the post-partum Centre attached to Medical College, Bangalore, temporarily with immediate effect and until further orders, pending filling up of the post on regular basis.

By Order and in the name of the Governor of Karnataka,

I. S SHAIKH,
Deputy Secretary to Government.
1920 *Health and Municipal Admn. Department,*
F. P.

FOOD AND FOREST SECRETARIAT

Notification No. AFD 84 FAF 74,

Bangalore, dated 2nd January 1975

S.O. 1168— In exercise of the powers conferred by Section 4 of the Karnataka Forest Act, 1963 (Karnataka Act 3 of 1964) the Government of Karnataka hereby :—

(1) declares that it has been decided to constitute the land in Ullur and Hosangady villages of Coondapur Taluk of South Kanara District, the situation and limits of which are specified in the schedule below, as reserved forest ;

(2) appoints the Forest Settlement Officer, South Kanara, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of sub-section (1) of the said section, and

(3) appoints the Divisional Forest Officer, Coondapur Division, Coondapur to represent the State Government in the enquiry by the said Forest Settlement Officer.

SCHEDULE

Name of the District—South Kanara.
Name of the Taluk—Coondapur.
Name of the Village—Ullur and Hosangady.
Name of the Block—Mettukalgudde R.F. Extension Block.
Field Survey Nos.—153 of Ullur village and 131, 135/1 of the Hosangady village.
Area—79.93 Hectares (197.50 acres).

Boundary Description

North.—Starting from Station No. 1 (Cairn No. 1) about 4 chains Eastern side from S. No. 60 of field, the demarcation line runs in almost eastern direction to station No. 3, passing through the intermediate station No. 2 a distance of 656 links. Thence the line runs in nearby

Eastern direction to station No. 4 at a distance of 133 links. From there the demarcation line runs in almost Southern direction to station No. 5 to a distance of 575 links. From there it runs in South-West direction to station No. 6, a distance of 276 links. From there the demarcation line runs in South-East direction to station No. 7 to a distance of 106 links. Thence the line runs in nearly Eastern direction to station No. 8 over a distance of 509 links. From there it runs in nearly Northern direction to station No. 9 a distance of 352 links. Thence it moves in North-East direction to station No. 10: at a distance of 215 links. Thence it runs in South-East direction to station No. 11 over a distance of 500 links. Then runs in North-East direction to station No. 14 passing through the intermediate station Nos. 12 and 13 to a total distaance of 1477 links. From there the demarcation line runs in nearly Eastern direction to station No. 16 passing through the middle station No. 15, a distance of 1051 links. Thence it moves in North-East direction to station No. 18 passing through middle station No. 17 to a distance of 724 links. Then runs in almost Northern direction to station No. 19 over a distance of 370 links. From there it runs in North-West direction to station No. 22 passing through the middle station Nos. 20 and 21 at a total distance of 1483 links. Thence it runs in nearly Northern direction to station No. 23 at a distance of 955 links. Thence it runs in North-East direction to station No. 24, a distance of 577 links. Again the line runs in almost Eastern direction to station No. 25 to a distance of 380 links.

The bearings and distances from station to station are as follows:

Station Numbers		F. Bearings	Distances
From	To	in degrees	in links.
1	2	87½	328
2	3	86	328
3	4	100	133
4	5	184	575
5	6	199	276

6	7	140½	106
7	8	84	509
8	9	9½	352
9	10	40½	215
10	11	107	500
11	12	69½	452
12	13	67	428
13	14	55	597
14	15	82	458
15	16	98	593
16	17	78½	377
17	18	33½	347
18	19	3½	370
19	20	345½	370
20	21	342	590
21	22	335	523
22	23	7½	955
23	24	60	577
24	25	94	380

East.—From station No. 25 the demarcation line runs in South-West direction to station No. 27 passing through the intermediate station No. 26. a total distance of 1127 links. Thence it runs in South-East direction to station No. 34 passing through the intermediate station Nos. 28 to 33 to a total distance of 2837 links. Thence it runs in nearly Eastern direction to station No. 35 at a distance of 616 links. Again the demarcation line runs in South-East direction to station No. 36 to a distance of 352 links. From there it runs in almost Southern direction to a station No. 37, a distance of 308 links. Thence it moves in nearly Southern direction to station No. 38 to a distance of 385 links. Thence the demarcation line runs in South-West direction to station No. 39, a distance of 383 links. From there the line runs in nearly. Southern direction to station No. 40, a distance of 357 links. Thence the demarcation line moves in South-East direction to station No. 43 passing through intermediate station Nos. 41 and 42, a total dsitance of 1364 links. Thence the demarcation line runs in South-West direction

to station No. 44, a distance of 768 links. From there it runs in North West direction to station No. 47 passing through middle stations 45 and 46 to a distance of 1179 links. Thence it runs in nearly Northern direction to station No. 48, a distance of 375 links. Thence it moves in North-West direction to station No. 51 passing through intermediate stations 49 and 50 over a distance of 1500 links. Thence the demarcation line runs in almost Western direction to station No. 52 at a distance of 382 links. From there it runs in South-West direction to station No. 53, a distance of 246 links. Thence it runs in nearly Southern direction to station No. 54, a distance of 380 links. Then runs in South-West direction to station No. 60 passing through intermediate stations 55 to 59 to a distance of 2438 links. Thence the line runs in South-East direction to station No. 62 passing through intermediate station No. 61, a distance of 1072 links. Then runs in North-East direction to station No. 64 passing through intermediate station No. 63 for a total distance of 1350 links. Thence the line moves in nearly Eastern direction to station No. 65 over a distance of 737 links. Thence it runs in South-East direction to station No. 67 passing through intermediate station No. 66, a distance of 628 links. From there the demarcation line runs in South-West direction to station No. 70 passing through middle stations 68 and 69 to a distance of 1430 links. Again it moves in South-East direction to station No. 73 passing through middle station Nos. 71 and 72 to a distance of 1406 links. From there it runs in South-West direction to station No. 74 to a distance of 216 links.

The bearings and distances from station to station are as follows :

Station Numbers		F. Bearings in	Distances
From	To	degrees	in links
25	26	198	457
26	27	226½	670
27	28	156½	667
28	29	.151	313
29	30	146	680

30	31	161½	200
31	32	159	390
32	33	108½	360
33	34	103	227
34	35	82	616
35	36	103½	352
36	37	176½	308
37	38	187	385
38	39	213	383
39	40	171½	357
40	41	160	527
41	42	138½	657
42	43	156	180
43	44	202½	768
44	45	299½	200
45	46	320	527
46	47	328½	452
47	48	10	375
48	49	347½	738
49	50	315½	298
50	51	294	464
51	52	267	382
52	53	218	246
53	54	189	380
54	55	246	359
55	56	228½	592
56	57	237	308
57	58	225	492
58	59	209	357
59	60	204	330
60	61	162½	648
61	62	137	424
62	63	69	650
63	64	59½	700
64	65	96½	737
65	66	131	328
66	67	130	300
67	68	237	582
68	69	214	268

69	70	215	580
70	71	163	514
71	72	152	658
72	73	155	234
73	74	216	163

South—From station No. 74 the demarcation line runs in nearly Western direction to station No. 75, a distance of 373 links. Then it runs in North-West direction to station No. 83 passing through the intermediate station Nos. 76 to 82 to a total distance of 2866 links. Thence the demarcation line moves in nearly Northern direction to station No. 85 passing through intermediate station No. 84 over a distance of 720 links. Again it runs in North-West direction to station No. 88 passing through the middle station Nos. 86 and 87 at a total distance of 1268 links. Thence the demarcation line runs in almost Western direction to station No. 89 at a distance of 325 links. Afterwards it runs in nearly Northern direction to station No. 91 passing through middle station No. 90 to a distance of 571 links. Thence the demarcation line moves in North-West direction to station No. 92, a distance of 406 links. From there it runs in South-West direction to station No. 97 passing through intermediate station Nos. 93 to 96 over a distance of 2530 links. Thence it runs in North-West direction to station No. 98 over a distance of 462 links. Then runs in nearly Western direction to station No. 99 over a distance of 489 links.

The bearings and distances from station to station are as follows :

Station Numbers From	To	F. Bearings in degrees	Distances in links
74	75	279½	373
75	76	308	418
76	77	304	246
77	78	307	534
78	79	303	240
79	80	316½	570
80	81	325	323

81	82	329	393
82	83	301½	142
83	84	354	320
84	85	351	400
85	86	343	510
86	87	296	400
87	88	307	358
88	89	267	325
89	90	9	236
90	91	7½	335
91	92	309	406
92	93	256	290
93	94	259	690
94	95	256½	550
95	96	249	480
96	97	244	520
97	98	282	462
98	99	277	480

West.—From station No. 99 the demarcation line runs in North-East direction to station No. 103, passing through the intermediate station Nos. 100 to 102, a distance of 1640 links. Then it runs in North-West direction to station No. 106 passing through the intermediate station Nos. 104 and 105, a distance of 855 links. Finally it runs in North-East direction to station No. 1, a distance of 400 links, thus the traverse closed.

Bearings and distances from station to station are as follows :

Station Numbers From	To	F. Bearings in degrees	Distances in links
99	100	37	332
100	101	43	577
101	102	62½	585
102	103	66½	146
103	104	316	225
104	105	319	320
105	106	320	310
106	1	27	400

Right of ways

Public Right of Cart track No. 1 : A cart track coming from Siddapur enters to the Block in between Station Nos. 106 and 1 and runs in Southern direction to Ullur and exists the block in between station Nos. 96 and 97.

Public Right of Cart track No. 2 :—A cart track coming from Ullur enters into the Block in between station Nos. 101 and 102 and proceeds in South-East direction and exists the block in between station Nos. 31 and 32 (Cairn Nos. 25 and 26) and goes to Jambur.

Public Right of Cart track No. 3 :—A cart track coming from Heggolu enters the Block in between Cairn Nos. 9 and 10 and joins to Jambur school road and quits the block in between cairn Nos. 25 and 26.

Public Right of Cart track No. 5 :—A cart track coming from Siddapur enters the block in between cairn Nos. 19 and 20 and joins to Jambur school road and leaves the Block in between Cairn Nos. 25 and 26.

Public Right of Cart track No. 6 :—A cart track coming from Jambur enters in between cairn Nos. 46 and 47 and joins to Jambur School road and leaves in between Cairn Nos. 25 and 26.

Public Right of Cart track No. 7.—A cart track from Jambur enters the block in between Cairn Nos. 48 and 49 and joins to Jambur-Ullur Road and exits the block in between Cairn Nos. 25 and 26.

Public Right of Cart track No. 8.—A cart track from Siddapur enters the block between Cairn Nos. 63 and 64 and quits the block in between Cairn Nos. 53 and 54.

Public Right of Cart track No. 9.—A cart track coming from Siddapur entres in between Cairn Nos. 60 and 61 and leaves the Block in between Cairn Nos. 60 and 61 (Station Nos. 76 and 77) and goes to Kote temple.

Other Privileges .

1. Free removal of Muligrass by the villagers for *bona fide* use.

2. Free removal of green manure leaves of unreserved trees by the villgers for *bonafide* use.

3. Free removal of dry fuel by villag.... ... . *fide* use.

4. Free grazing of cattle by the villagers.

By Order and in the name of the Governor of Karnataka,

JAYATHIRTHARAO BAPU,
Under Secy. to Govt., Food and Forest Department.

Ayacut Statement prescribed in B P. Forest No. 459 dated 2nd October 1896—Name of the proposed block "Mottukalgudde B. F. Extention Block" in S. No. 153 of Ullur and S. Nos. 131 and 135/1 of Hosangady village, Coondapur Taluk, South Kanara.

Name of the village.	Area	Area of peramboke, village, site, etc.	Area under cultivation (occupied)	Area included in sanction R. F.	Area proposed for reservation	Balance of waste land		
						Assessed	Unassessed	Total
1	2	3	4	5	6	7	8	9
Ullur	2266 06 Hectares (5599.54) acres	81.73 Hectares (201.95) acres	460.57 Hectares (1138.09) acres	...	75.68 Hectares (187.00) acres	1647 74 Hectores (4071.65) acres	0.34 Hectares (0 85) acres	
Hosangady	3541.76 Hectares (8751.87) acres	2335.18 Hectares (5770.34) acres	415.90 Hectares (1027.72) acres	...	4-25 Hectares (10.50) acres	786.07 Hectares (1942.67) acres	0.26 Hectares (0.64) acres	

.....

Divisional Forest Officer,
Survey and Demarcation, Mangalore.

2941

20 (11)-6

Statement of Area and conditions prescribed in G O No. 640 dated 4-7-1887—Name of the Block: , Mettukalgudde R. F. Extn. Block ' in S. No. 153 of Ullur and 31 and 135/1 of Hosangady village, Condapur Taluk, S. Kanara.

Name of Taluk and Extent.	Extent		Area of R. F already notified under Section 16.	Area of the Reserve under the settlement.	Area of the Reserve submitted for notification under Sec. 4 of M F. Act V.	Charactor of land proposed for reservation		Probable extent of land available for grazing purpose in the Taluk.
	Occupied Govt. land.	Unoccupied Govt. land.				Area of Forest land	Area of Grass land.	
1	2	3	4	5	6	7	8	9
Coondapur.								
,55,471,86 Hectares (384179 00) acres	44,885.07 Hectares (110913.33) acres	1.10,586 79 Hectares (273265 67) acres	51,550 00 Hectares (127382.70) acres	7014,54 Hectares ...	79.93 Hectares (197.50) acres	77.30 Hectares (191 00) acres	2.63 Hectares (6 50) aares	6,412.44 Hectares (15 85 ,00) acres

.....
Divisional Forest Officer,
Survey and Demarcation, Mangalore.

2342

Statement showing the name of village which lies within a distance of ½ a mile from the proposed block 'Mettunalgudde R.F. Extension Block' in S. No. 153 of Ullur village, S. No. 131 and 135/1 of Hosangady village, Coondapur Taluk.

Sl. No.	Name of the village.	Distance from the proposed line	Number of Houses in the locality.	Population	Numberof cattle.	Cultivation		
						Dry	Garden	Wet
1	2	3	4	5	6	7	8	9
1.	Ullur	Within the block.	20	180	230	80.94 Hec. (200.00) acres	4.05 Hec. (10.00) acres	40.47 Hec (100.00) acres
2.	Hosangady		14	120	200	20.23 Hec (50 00) acres	0.81 Hec. (2.00) acres	10.11 Hec. (25.00) acres

.....

Divisional Forest Officer,
Survey and Demarcation, Mangalore.

Perambulation Certificate

I do hereby certify that Mettukalgudde R.F. Extn. Block was perambulated by me during 16th February 1971 to 25th March 1971. It is situated in S. No. 153 of Ullur village and 131 and 135/1 of Hosangady village, Coondapur Taluk, South Kanara District. During my perambulation I found no discrepancy. The block was demarcated by cutting 3M. wide line all around the block and constructed 77 stone cairs in all salient points and serially numbered them with tar. This block was surveyed by Sri K. Gopalakrishna Bhat, Forester and checked by me. During perambulation of the block no encroachment within the block was noticed. A belt of 100 yards was left to all kadim land around the block.

(Sd.) K. SUNDER RAO,
Range Forest Officer,
Survey and Demarcation, Karkala.

"True Copy"

(Sd.).....
Divisional Forest Officer,
Survey and Demarcation, Mangalore.

Tree Growth Certificate

This block may be named as Mettukalgudde R. F. Extension. It is situated in S. No. 153 of Ullur village and 131 and 135/1 of Hosangady village, Coondapur Taluk, South Kanara District. It is a gently sloping area. The extent of the block is 79.93 Hectares (197.50 acres) out of which about 191.00 acres contains thick tree growth and remaining area contains sparse growth. The main species noticed in the area are Terminalia tomentosa (Mathi), Terminalia paniculata (Marwa), Xylia xylocarpa (Jambe), Vitex Altissime (Myrole), Artocarpus hirsuta (Aini), Calophyllum tomentosum (Shrihonne), Mangifera india (Mango), Strychnos nuxvomica(Kasarka), Lophopetalum whitianum (Bolpali), Dillernia pentagyna(Muchiru), Spondias mangifera (Kadambata), Holigarna arnottiana (Chare), Careya Arboria (Karval), Adina cardifolia (Anav), Careya integrima (Andinar), Bombax malabaricum (Buruga) and Alsotonia Scholaris (Pali) and Amacardium occidentale (Cashew).

(Sd.) K. SUNDER RAO,

Range Forest Officer,

Survey and Demarcation, Karkala.

"True Copy"

(Sd.).....

Divisional Forest Officer,

Survey and Demarcation, Mangalore.

Name of adjoining pattadars around the Mettukal-gudde R.F. Extension Block in S.No. 153 if Ullur and S. Nos. 131 and 135/1 of Hosangady village, Coondapur Taluk S.K.

S. Nos.	*Name of Pattadars*
	Ullur village.
60	.. Shankayya
184	.. Narasihma Shetty
157	.. do
4	.. Ramakrishna Kodgi
173	.. Shankernarayana Maiya
174	.. A.W.
12	.. Ramakrishna Kodgi
11	.. do
9	.. do
8	.. do
15	.. do
24	.. Ramayya Acharya
	Hosangady village.
136	.. Paniyappa Udupa Govinda and Lakshman Nayak.
133	.. Srinivasa Naika, Anantha Mallya.
135/2	.. Anantha Hebbar.

(Sd.) K. SUNDER RAO,
Range Forest Officer,
Survey and Demarcation,
Karkal.

"TRUE COPY"

(Sd.).....
Divisional Forest Officer,
Survey and Demarcation,
Mangalore.

FOOD AND FOREST SECRETARIAT

Notification No. AFD 65 FAF 74.

Bangalore, dated 26th December 1974/2nd January 1975.

S. O. 1169.—

In exercise of the powers conferred by Section 4 of the Karnataka Forest Act, 1963 (Karnataka Act 5 of 1964) the Government of Karnataka hereby ;

(1) declares that it has been decided to constitute the land in the Hosur and Chittur villages of Coondapur Taluk of South Kanara District, the situation and limits of which are specified in the schedule below, as reserved forests ;

(2) appoints the Forest Settlement Officer, South Kanara, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of sub-section (1) of the said Section ; and

(3) appoints the Divisional Forest Officer, Coondapur Division. Coondapur to represent the State Government in the enquiry by the said Forest Settlement Officer.

Schedule

Name of the District.—South Kanara.
Name of the Taluk.—Coondapur.
Name of the village.—Hosur and Chittur.
Survey Numbers.—141 of Hosur and 105 & 79/1-2 of Chittur villages.
Area.—43,706 Hectares (108.00 acres).
Name of the Block.—Chittur R. F. Extn., Block II.

Boundary Description

North.—Starting from Station No. 69 (Cairn No. 99 Chittur R. F.) the demarcation line runs along the Reserve Forest Boundary towards East of the block to Station No. 70 to a distanct of 1425 links.

The bearings and distances from station to station are as follows:—

Station From	Numbers To	F. Bearings in degrees	Distances in links
69	70	87	1425

East.—From station No. 70, the demarcation line runs towards South-East to station No. 71 to a distance of 1100 links. Thence the line runs nearly southern direction to reach station No. 72 to a distance of 1400 links. Again the demarcation line moves to South-East direction and meets station No. 73 at a distance of 1200 links.

From there the demarcation line proceeds nearly Southern direction and meets station No. 74 at a distance of 1150 links. Thence the demarcation line goes to Western direction to a length of 1700 links and meet the station No. 75. Further it goes South-West direction to a distance of 1315 links and meets the station No. 2 passing through intermediate station No. 0 and 1.

The bearings and distances from station to station are as follows:—

Station From	Numbers To	F. Bearings in degrees	Distances in links
70	71	133	1100
71	72	167½	1400
72	73	139½	1200
73	74	193	1150
74	75	254	1700
75	0	213	300
0	1	213	315
1	2	230	700

South.—From station No. 2 the demarcation line runs West direction and meets the station No. 3 at a distance of 235 links. Then the line goes North-West direction passing

through intermediate station No. 4 and meets station No. 5 at a distance of 460 links. Further the line goes North-East direction to station No. 8 passing through intermediate station No. 6 and 7 at a total distance of 730 links. Thence the line runs nearly in Eastern direction to station No. 9 at a distance of 165 links. From there line runs to North-East directon to station No. 10 at a distance of 280 links. Further the demarcation line runs nearly in Eastern direction and reaches the station No. 14 passing through middle station No. 11 to 13 at a total distance of 1760 links. From there the line moves in North-East direction and touches the station No. 16 passing through middle station No. 15 at a distance of 440 links. Further the line goes to Eastern direction to reach station No. 17, a distance of 335 links. Thence demarcation line runs North West direction to station No. 18, a distance of 140 links. Thence the line runs nearly to North to a distance of 275 links and touches to station No. 19. Further it runs to North-West direction to station No. 21 passing through the middle station No. 20 covering the distance of 575 links. From there the line moves nearly in Northern direction to reach station No. 24 passing through middle station No. 22 and 23 covering the distance of 1125 links. Thence it goes West ward to reach station No. 25, a distance of 475 links. Further the line moves to North-ward to station No. 26 to a distance of 280 links. Again it turns to North-West direction to station No. 29 covering a distance of 785 links by passing through middle station No. 27 and 28. Thence it runs nearly in Western direction towards station No. 31 passing through middle station No. 30 to a distance of 620 links. From there it runs towards South-West direction to station No. 34 covering a distance of 880 links by passing through middle station No. 32 and 33. Further it moves nearly in South direction to station No. 39 passing through middle station No. 35 to 38 covering a distance of 1765 links. Again it runs in South-East direction to station No. 40 to a distance of 240 links. Further it runs in South-West direction to station No. 42 passing through station No. 41 to a distance of 925 links. Again

it runs in North-West direction to station No. 43 to a distance of 200 links. Again the demarcation line runs nearly in Western direction to station No. 45 passing through station No. 44 to a distance of 761 links. Thence the line runs in North-West direction to station No. 47 to a distance of 770 links passing through middle station No. 46. Again it moves nearly in Wtstern direction to station No. 49 passing through middle station No. 48 to a distance of 670 links. Again the line runs South-West to station No. 51 passing through middle station No. 50 to a distance of 650 links. Thence it runs South-ward direction to station No. 52 to a distance of 485 links. Again it goes in South-East direction to station No. 54 to a distance of 520 links passing through the station No. 53. Again it moves nearly in Western direction to station No. 56 passing through middle station No. 55 to a distance of 615 links. From there it moves in South-East direction to station No. 57 to a distance of 420 links. Thence it turns in South-West direction to station No. 58 to a distance of 530 links. Further it goes to station No. 59 in the direction of South-West a distance of 625 links The line runs in South West drection to station No. 61 passing through station No. 60 to a distance of 895 links. Further it moves nearly in Western direction to station No. 64 passing through middle station No. 62 and 63 covering a distance of 1505 links.

The bearings and distance from station to station are as follows :

Station From	Numbers To	F. Bearings in degrees	Distances in links
2	3	269	235
3	4	305	185
4	5	315	275
5	6	20	180
6	7	36	375
7	8	36½	175
8	9	97	165

9	10	58	280
10	11	68	425
11	12	70	235
12	13	74½	600
13	14	73	500
14	15	30½	200
15	16	21½	240
16	17	2	335
17	18	334½	140
18	19	342	275
19	20	313	310
20	21	338	265
21	22	347	250
22	23	343	475
23	24	344½	400
24	25	271½	475
25	26	354	280
26	27	295	230
27	28	299	230
28	29	298	325
29	30	278	270
30	31	250	350
31	32	241	370
32	33	243	180
33	34	234	330
34	35	196	470
35	36	178	370
36	37	172	265
37	38	179	340
38	39	172	320
39	40	150	240
40	41	235	450
41	42	217½	475
42	43	332	200
43	44	288½	460
44	45	252½	301
45	46	324	450
46	47	320	320
47	48	251	400

48	49	253	270
49	50	222	400
50	51	220	250
51	52	169	485
52	53	148½	250
53	54	150	270
54	55	254½	265
55	56	247	350
56	57	159	420
57	58	228½	530
58	59	252	625
59	60	204½	325
60	61	235	570
61	62	265	525
62	63	260½	380
63	64	262	600

West.—From station No. 64 (Cairn No. 104 of Chittur R.F.) the demarcation line runs in North East direction to station No. 65 to a distance of 3635 links. From there it moves in North-East direction to station No. 66 to a distance of 1375 links. Thence it turns to station No. 67 in nearly Eastern direction to a distance of 1975 links. Again it runs in North-East direction to station No. 68 to a distance of 1000 links. Thence it moves in North-East direction to station No. 69 to a distance of 1900 links. Thus closes the traverse. From station No. 93 to 104 the demarcation line runs along the boundary line of Chittur R.F.

The bearings and distance from station to station are as follows:

Station Numbers From	To	F. Bearings in degrees	Distances in links
64	65	52½	3635
65	66	2	1375
66	67	73½	2300
67	68	25	1000
68	69	45	1900

Right of ways

A cart track enters the block in between Cairn Nos. 61 and 60 and comes out of the block in between Cairn Nos. 58-59.

Foot path.—The foot path enters the block in between Cairn No. 24-25 and exits the block between 97-98 cairns of Chittur R.F.

Other Privileges

1. Free grazing of cattle by the villagers.

2. Free removal of dry leaves by the villagers.

3. Free removal of green manure leaves by the villages for *bonafide* use.

4. Free removal of dry fuel by the villagers for domestic purpose.

5. Free removal of muligrass by the villagers for *bonafide* use.

By Order and in the name of the Governor of Karnataka,

JAYATHIRTHA RAO BAPU,
Under Secy. to Govt., Food and Forest Department.

Ayacut Statement-Name of the Block: Chittur R. F. village and 141 of Hosur village, Coondapur Taluk, South

1	2	3	4	5
Name of the village	Area	Area of poramboke, village site, etc.	Area under cultivation (occupied)	Area included in sanction R. F.
26. Chittur	1847.63 Hectares (4565.59 Ac)	27.899 Hectares (68.94 Ac)	516.076 Hectares (1275.25 Ac)	Nil
24. Hosur	2297.516 Hectares (5677.28 Ac)	24.633 Hectares (60.87 Ac)	430.954 Hectares (1089.62 Ac)	25.52 Hectares (63.06 Ac)

Extn. II, laid in S. No. 105 and 79/1 and 2 of Chittur Kanara District.

6	7	8	9	10
Area proposed for reservation	Balance of waste land			Remarks
	Assessed	Unassessed	Total	
33.184 Hectares (82.00 Ac)	1270.293 Hectares (3138.96 Ac)	0.178 Hectares (0 44 Ac)	1270.471 Hectares (3139.10 Ac)	
10 522 Hectares (26.00 Ac)	1795.049 Hectares (4435.66 Ac)	0.838 Hectares (2.07 Ac)	1795.887 Hectares (4437.73 Ac)	

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Divisional Forest Officer,
Survey and Demarcation, Mangalore.

Area and Condition Statement-Name of the proposed 79/1,2 of Chittur village S. No. 141 of Hosur village of

Name of the Taluk and Extent	Extent		Area of the Govt. land already notified under Section-16	Area of the Reserve under settlement
	Occupied Govt. land	Unoccupied Govt. land		
1	2	3	4	5
Coondapur				
1,55,471.863 Hectares	44,885.0'2 Hectares	1,10,586 781 Hectares	51,549,995 Hectares	6540.24 Hectares
(3,84,179.00) acres	(1,10,913.33) acres	(2,73,265.67) acres	(1,27,382.70) acres	(16'61.28) acres

block: "Chittur R. F. Exten. II' laid in S. No. 105 and Coondapur Taluk.

Area of the R. F. submitted for Notification	Character of land proposed for afforestation		Probable extent of land available for grazing	Sketch Map
	Forest land	Grass land		
6	7	8	9	10
43.706 Hectares	33.184 Hectares	10.522 Hectares	6,412.435 Hectares	Enclosed
(108.00) acres	(82.00) acres	(26.00) acres	(15,854.00) acres	

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Divisional Forest Officer
Survey and Demarcation, Mangalore.

Statement showing the Name of villages which lie within a distance of half a mile from the proposed Blocks' Chittur R. F. Extn. II' laid in S. No. 105 and 79 of Chittur village and 141 of Hosur village, Coondapur Taluk, South Kanara District.

Sl. No.	Name of the village	Distance from the proposed line.	No. of houses	No. of population	Number of cattle	Cultivation			Remarks
						Dry	Garden	Wet	
1	2	3	4	5	6	7	8	9	10
26.	Chittur	Block passes inside of the village.	12	96	205	181.26 Hectares (447.92Ac)	20.105 Hectares (49.68 Ac)	314.704 Hectares (777.65Ac)	

2358

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Divisional Forest Officer,
Survey and Demarcation, Mangalore.

Perambulation Certificate

Certified that the proposed block named as Chittur R. F. Extn. II, was Surveyed and Demarcated by Sri L. D'Souza, Forester by leaving a buffer belt of 100 yards to all adjacent patta lands. This block is connected to Chittur R. F. in North-West and North-East side of the block. It is situated in Chittur village and Hosur village in S.No. 105 and 79/1-2 respectively. The block is free from encroachments.

(Sd.) K. SUNDER RAO.
Range Forest Officer,
Survey and Demarcation, Karkala.

(Sd.).....
Divisional Forest Officer,
Survey and Demarcation, Mangalore.

Tree Growth Certificate

Certified that the proposed area contained Catechu trees in the open areas, Matchwood species like Mango, Dhupa, Buruga and Ailanthus Marwa. Banapu, Zambe etc., in the wooded areas. About 75% of the area covered with medium sized tree growth and the rest of the area is barren and the area could be afforested.

(Sd.) K. SUNDER
Range Forest Officer,
Survey and Demarcation, Karkala.

True Copy

(Sd.).....
Divisional Forest Officer,
Survey and Demarcation, Mangalore.

List of Survey numbers around Chittur R.F. Extension Block.

Chittur village

S. *No.*—

46—K. Subbakka Shedthy and others.
47— do
49—K. Brammalingeshwar Devaru.
78—K. Lachchamma Shedthy and Veeranna Shetty.
48—K. K. Brammalingeshwar Devaru.
148—H. Korgu *a/s* Parvathi Shedthy.
45— do do
126—H. Venkfaya Shetty.
185— do

(Sd.) K. SUNDER RAO,
Range Forest Officer,
Survey and Demarcation, Karkala.

"True Copy"

(Sd.).....
Divisional Forest Officer,
Survey and Demarcation, Mangalore.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 336 TML 74.

Bangalore, dated 3rd February 1975.

S. O. 1171.—WHEREAS the term of the Office of the Councillors of Town Municipal Council, Doddaballapur, expires on 17th March 1975;

AND WHEREAS the proposals relating to the formation of territorial divisions of the said Municipal Council, have not yet been even received and it is not possible to reconstitute the said Municipal Council before the expiry of the term;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 315 of the Karnataka Municipalities Act 1964 (Karnataka Act No. 22 of 1964), the Government of Karnataka hereby appoints the Tahsildar, Doddaballapur Taluk as Administrator of the Town Municipal Council, Doddaballapur in addition to his own duties for a period of Six months from 17th March 1975 or till the Council is reconstituted whichever is earlier.

By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA,
Under Secretary to Government,
Health and Municipal Administration Department.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification. No. HMA 231 TML 74.

Bangalore, dated 4th March 1975.

S.O. 1172.—Under Rule 1 of the Rules issued in Notification No. L. 7346/V P. 63-43-2, dated the 19th January 1944 as amended in notification No. L. 9844/V.P. 63-43-4, dated the 21st March 1944 relating to the constitution and working of the Hindustan Aircraft sanitary Board, Bangalore the Government of Karnataka hereby appoints the following persons being the representatives of the Rural Area included in the said Board, as members of the Hindustan Aircraft Sanitary Board, for a period of one year from 4th March 1975 or till the Hindustan Aircraft Sanitary Board is converted into a Notified Area under section 349 (1) of the Karnataka Municipalities Act, 1964 whichever is earlier :—

1. Sri A. Ramajulu Reddy, Land Lord, Member
   196, Indira Nagar, II Stage, Bangalore.
2. Subbanna S/o Venkataramanappa, Member
   Yamlur, H.A.L. Post, Bangalore-17.

By Order and in the name of the Governor of Karnataka

K. G RAJANNA,
Under Secretary to Government,
Health and Municipal Administration Department.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 142 TTP 74.

Bangalore, dated 13th March 1975.

S. O. 1173.—In exercise of the powers conferred by Section 4C-3(iii) (b) of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) Government of Karnataka hereby appoints the Municipal Commissioner, City Municipal Council, Belgaum, and Shri R. D. Sohani, Member, Taluk Development Board, Belgaum as members of the Planning Authority of the Belgaum City Local Planning Area reconstituted in Notification No. HMA 142 TTP 74 dated 2nd November 1974.

By Order and in the name of the Governor of Karnataka,

K. G. RAJANNA,
Under Secretary to Government,
Health and Municipal Admn. Department.

Notification No. HMA 18 MSH 75.

Bangalore, dated 26th February 1975

S.O.1174.—Under Rule 5 of the Karnataka Honorary Medical Services (Recruitment and Condition of Service) Rules, 1973, Government are pleased to appoint Dr. Philip Alexandar (Formerly working at Kasturba Medical College Manipal) as Honorary Medical Officer in Surgery at Victoria Hospital, Bangalore temporarily for a period of one year or untill further orders whichever is earlier with a honorarium of Rs. 100 (Rupees One hundred) only per mepsem.

By Order and in the name of the Governor of Karnataka,

C. RAJANNA,
Under Secretary to Government,
Health and Municipal Admn. Department.

PART IV

Section 2-C (ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF KARNATAKA

Social Welfare and Labour Department

Labour Dispute.—Industrial Dispute between the workmen and the management of M.I.T. Laboratories Ltd., Bangalore.

Award of the Presiding Officer, Industrial Tribunal, Bangalore, published.

Read the following Papers:

(1) Letter No. I.T. No. 2053/74-75, dated 29th March 1975 from Shri M. C. Konnur, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA, BANGALORE

Dated 24th March 1975

Present:

Sri M. C. Konnur, LL.B., Presiding Officer.

I.D. No. 10 of 1974

I Party—

Workmen represented by the Secretary, The I.T.L. Employees' Association ITL Buildings, Malleswaram, Bangalore-560003.

Vs.

I Party—

The Management of The Project Administrator, M.I.T. Laboratories Ltd., Post Box No. 397, Malleswaram, Bangalore.

Appearances:

For the I Party—

Sri A. Venkataram, Secretary of the I.T.L. Employees' Association, Bangalore.

For the II Party—

Sri M. V. A. Raja, I.L.P.M. Consultant, Bangalore.

AWARD

The State Government, being of opinion, that an industrial dispute existed between the workmen and the Mangement of M. I. T. Laboratories Ltd., Bangalore, referred the dispute by its Order No. SWL 76 (2) LLD 74, dated 17th May 1974, to this Tribunal for adjudication under Section 10(1) (d) of the Industrial Disputes Act, 1947, on the points scheduled in the Order of Reference.

2. The workmen represented by the Secretary, the I.T.L. Employees' Association, Bangalore, referred to as the I Party filed their statement of demands. The Management of the Project Administrator, M.I.T. Laboratories, Bangalore, referred to as the Party has filed its claim statement.

3. The I Party also filed an application (I.A.I.) for Interim Relief. The II Party has filed its objection to I.A.I. When the matter was fixed for hearing the I.A.I. the parties prayed for time submitting that the matter was under negotiations. Finally, the parties have filed a Memo of settlement arrived at between them and prayed for an award being passed in terms of the settlement. It was however submitted that no agreement had been reached in regard to the stagnation increment. Subsequently, an application by both the parties is filed that the

parties have agreed that the I Party should withdraw its claim regarding the stagnation increments and that an award may be passed on all the points under reference, as the same have been settled to the satisfaction of both the parties. Representatives appearing for the parties have been heard. The agreement reached is fair and reasonable.

4. An award is directed in terms of the Memo of settlement which shall form part of this award. No order as to costs.

(Dictated to the Stenographer, transcribed by him and corrected by me).

M. C. KONNUR,
Presiding Officer,
Industrial Tribunal, Bangalore
24—3—75.

MEMORANDUM OF SETTLEMENT

Under Section 2(p) of the Industrial Disputes Act, 1947, read with Section 18(1)

First Party—

Workmen of MIT Laboratories, Malleswaram represented by ITL Employees' Association
K. Govindappa, President.
Chikkaiah, Vice President.
Alampalli Venkataram, Secretary.
Seenappa, Assistant Secretary.
C. Krishnappa, Treasurer.

Second Party—

MIT Laboratories Malleswaram Unit (Division of IDL Chemicals Limited) Malleswaram, Bangalore-560003.
P. V. V. Krishnan, General Manager.
S. L. Sastry, Adviser to GM.
S. V. Raman, Commercial Manager.
N. S. Lakshminarasimhan, Works Manager.
E. M. Raju, Personnel Officer.

Short Recital of the Case

Whereas, a settlement entered into between MIT Laboratories, Malleswaram, and ITL Employees' Association expired on December 1, 1972 and,

Whereas, the ITL Employees' Association placed charter of demands dated December 1, 1972 (Annexure 'A') covering 23 points on the Management, and,

Whereas, the charter of demands was taken up in conciliation and both the parties have held various discussions before the Labour and Conciliation Officer, and,

Whereas, the parties could not come to any amicable settlement and the same was referred to the Hon'ble Industrial Tribunal, Bangalore, vide reference No. ID/10 of 1974 and,

Whereas, the Management was not in a position to consider any of the demands because of continued heavy losses in the past three years, solely with a view to have good industrial relations and efficient productivity, both the parties again discussed the demands when dispute was still pending before the Hon'ble Industrial Tribunal, Bangalore, the parties have agreed to come to an amicable settlement on all points except 1(d) of Charter of Demands (Stagnation Increments) on the following terms of settlement:

Whereas, both the parties have further agreed that this settlement shall be filed before the Hon'ble Industrial Tribunal and Hon'ble Industrial Tribunal may be pleased to pass an award on the terms of settlement as agreed hereunder:

Now Wherefore, both the parties have signed this settlement on this Fourth day of March 1975.

Terms of Settlement

1. **Pay Scale.**—It is agreed that in view of the additional Dearness Allowance considered in Clause 17 of this

settlement the Association and workmen have agreed to drop this demand and the presennt pay scale shall continue.

With regards to stagnation increments as demanded by the Association it is agreed by both the parties on that the said subject which is already pending before the Hon'ble Industrial Tribunal, as 1(d) of points of dispute, will be taken up and proceeded with.

2. **Co-operative Society.**—The working of the Co-operative Society will continue as at present, and the Association agrees to drop the demand under this head.

3. (a) **Overtime Wages for Watch and Ward.**—The existing system will continue.

(b) **Night Shift Allowance.**—Employees working in the night (except Watch and Ward Staff) beyond mid-night will be given Rs. 0.50 per night worked as night shift allowance.

(c) **Permission.**—The present practice of permitting employees to go out on permission, will continue.

4. (a) **Cleaning Allowance.**—It is agreed that the employees who work on the annual cleaning of the boiler will be given Rs. 15 per head as a single **adhoc** payment.

(b) **Promotion as Clerks.**—The Association agrees to drop this demand since it is covered under Clause 14.

5. (a) **Casual leave and Sick leave.**—It is agreed that the present rules governing casual leave and sick leave shall continue and no change will be considered.

(b) **Salary Disbursement.**—It is agreed that salary will be disbursed on 6th of each month. If 6th is a holiday, salary will be disbursed on 7th of that month.

6. (a) **Employment of relatives of workmen.**—It is agreed that for purposes of recruitment, everything else being equal, preference for employment will be given to sons and daughters of workmen, who retire or die.

(b) **Employment to Mr. Chikkanna's Wife and Mr. Mayanna's Son.**—In view of the above, the Association agrees to drop this demand.

7. **Attendance Bonus.**—It is agreed that the Management will examine the introduction of an attendance bonus scheme as and when it is found necessary.

8. **Canteen Deduction.**—No further relief is possible. This subject is entirely left to be discussed by the Canteen Committee, and it is agreed that the Canteen Committee will take more interest and assist in running the canteen efficiently and economically.

9. **National and Festival Holidays.**—It is agreed that workmen working on declared National and Festival Holidays will be given double the normal wage as and when they are called upon to work. It is further agreed that workmen shall not refuse to work on any holiday if they are directed to do so by the Management. In the event of any employee working on his/her weekly off, he will be given a compensatory holiday as per the Factories Act.

10. (a) **Advance for Marriage, etc.**—The Association agrees to drop this demand.

(b) **Cycle Advance.**—Management offered to render whatever assistance is possible, including in securing loans from banks on behalf of employees without creating any financial burden to the Company.

(c) **Permission to attend special General Body Meetings.**—Association agrees not to press this demand.

(d) **Festival Advance.**—The present policy on Festival Advance will continue.

11. **Death Relief Fund.**—The present Death Relief Scheme existing in the unit will continue.

12. **Paid Holiday to Celebrate Works Day.**—The Association agrees to drop this demand.

13. **Allowance to Cycle Orderlies.**—It is agreed that Cycle Orderlies will be given Rs. 15 as allowance per month.

14. **Promotion Scheme.**—Management is evolving a promition Scheme, and that shall be applicable and govern all future promotions of all categories of workmen including clerks within the next three months.

15. **Standing Orders.**—The association agrees not to press this demand and the Association shall take up this matter before the Certifying Officer.

16. **Fixing of some Skilled Workers.**—On the Association bringing up specific cases, such cases will be examined by the Management on their merits.

17. (a) **Dearness Allowance, House Rent Allowance and City Compensatary Allowance.**—It is agreed that the present scheme of Dearness Allowance, House Rent Allowance and City Compensatory Allowance as per settlement, dated 28th February 1966 between the Management and the I.T.L. Employees' Association will continue. However, in view of the abnormal increase in cost of living, the Management have agreed tc give a monthly additional Dearness Allowance as follows for the period of this settlement:

(i) Rs. 25 for the first year of the settlement.

(ii) Rs. 32.50 for the second year of the settlement, i.e., an increase of Rs. 7.50 per month over the 1st year.

(iii) Rs. 40 for the third year of the settlement, i.e., an increase of Rs. 7.50 per month over the 2nd year.

This additional Dearness Allowance will be an entity separate from the regular Dearness Allowance as per settlement, dated 28th February 1966.

In view of the sanction of the additional Dearness Allowance, workmen and the I.T.L. Employees' Association agree to drop the demand for revision in pay scales and weightage increments.

It is agreed by both the parties that this additional Dearness Allowance shall be merged in the All Purpose Allowance after the expiry of this settlement at the discretion of the Management.

(b) **Retrenchment.**—The retrenchment will be as per the provisions of Industrial Disputes Act.

(c) **Existing Benefits.**—The management agrees that the existing benefits and privileges given to the employees, other than those specifically covered by this settlement will continue.

18. **Age of Retirement.**—The present practice of super-annuating an employee on his attaining the age of 58 years shall continue.

19. **Retrospective Effect.**—In view of the settlement as at 17(a) above, the Association agrees not to press this demand any further.

20. **E.S.I. Leave.**—E.S.I. leave will be as per the provisions of the E.S.I. Act and Rules.

21. **Fixing of Depot-in-charge.**—The question does not arise as the Depot Supervisor is already in an appropriate scale. In view of this, Association agreed to drop this demand.

22. **Appointment of a Motor Mechanic.**—Appointing a Motor Mechanic is not pressed by the Association.

23. **Furlough Leave.**—It is agreed that the time limit set for exhausting accumulated furlough leave be extended by one year more upto 31st December 1976.

24. **Bonus.**—In spite of the alarmingly adverse economic situation of the unit and notwithstanding the actual statutory position applicable to the independent unit of M.I.T. Laboratories, the Management has, as a gesture of goodwill and grace, agreed to extend to the employees of M.I.T Laboratories unit, the same rate of bonus as paid to the employees of I.D.L. Chemical Limited elsewhere from time to time commencing from the accounting year 1974-75. This gesture of goodwill has ben made possible by the workmen's assurance that they will extend their full co-operation in making M.I.T. Laboratories a viable unit.

25. **Increase of Provident Fund Contribution.**—It is agreed by the Management that, as a very special case, the rate of Provident Fund will be increased to 10 per cent to its employees with effect from 1st July 1975.

26. **Period.**—The terms of this settlement shall be operative for a period of 3 years from January 1, 1975 and shall continue to be binding on the parties till it is validly terminated by the parties as per the provisions of the Industrial Disputes Act.

27. In view of this overall settlement as a package deal, the Association and workmen agree to drop all their demands and disputes, now pending before any Court of Law or Conciliation or Government.

28. It is agreed that the Association and the workmen shall not adopt go-slow tactics in any circumstances in future. It is further agreed that any matters which may come up in future should be solved by mutual negotiations, failing which, the parties shall take recourse to constitutional methods of solving the disputes. Further the Association and the workmen agree to strive hard and maintain good discipline in the industry and always maintain high productivity.

29. **General.**—This overall settlement arrived at between the parties under Section 2(p), read with Section 18(1) of the Industrial Disputes Act, 1947, covers all the matters raised by the I.T.L. Employees' Association and the workmen in full and finnal satisfaction. It is agreed that the workmen shall not, during the period of the operation of this settlement, put forth any fresh demands involving financial burden on the Company. The workmen agree that they will co-operate with the Management to achieve better productivity, discipline and good industrial relations.

In witness whereof, the parties have set their hands hereunder this **Fourth day of March Nineteen hundred and Seventy-five.**

For First Party :—

Workmen of MIT Laboratories, Malleswaram represented by ITL Employees Association)

1. Sd .....
2. Sd .....
3. Sd .....
4. Sd .....
5. Sd .....

For Second Party :—

(Management of MIT Laboratories, Malleswaram Unit, Division of IDL Chemicals Limited)

1. Sd .....
2. Sd .....
3. Sd .....
4. Sd .....
5. Sd .....

ANNEXURE 'A'

I.T.L. EMPLOYEES ASSOCIATION
(Affiliated to Bharatiya Mazdoor Sangh)

(Regd. No. 19/41)

I.T.L. Buildings, Malleswaram, Bangalore-3.

Ref. No. 7198/72-73 Dated : 1-12-1972

The Management,
M.I.T. LABORATORIES LTD.,
Malleswaram, Bangalore-3.

Sirs,

Subject : Charter of Demands

On behalf of the employees of your esteemed concern, we place the following charter of demands and request you to kindly concede the same by entering into an amicable settlement.

1. **Pay Scales.**—The following pay scale may kindly be introduced.

A Grade Rs. 100-8-140-10-190-12-250
A Special Rs. 125-10-175-15-250-20-350

B Grade Rs. 150-15-225-25-350-30-500
B Special Rs. 175-20-275-30-425-35-600
C Grade Rs. 150-15-225-25-350-30-500
C Special Rs. 195-20-295-25-420-30-570
D Grade Rs. 350-30-500-40-700-60-1,000
E Grade Rs. 250-25-375-30-525-35-700

All the daily rated workers who are in Re. 1-00 grade, Watch and Ward, drawing Rs. 30-00 basic and attenders shall be fixed in the A Grade. Such of those workers who have completed 15 years of service shall be fixed in A Special. Those drawing 1.75 basic and Drivers, drawing Rs. 60-00 per month shall be fixed in B grade. 15 years of service and above shall be fixed in B Special. Clerks and Supervisors shall be fixed in C Grade. 15 years of service and above shall be fixed in C Special. Accountant shall be fixed in D grade. Deputy Accountant and Stenos and Graduates shall be fixed in E Grade.

(a) Appropriate fixation shall be made in the new grades as per the usual practice.

(b) Graduates shall be given three additional increments in the new scales.

(c) Service weightage at the rate of one increment for every three years of service shall be given.

(d) Stagnation increments at the rate of 1 increment per every year of stagnation shall be given in the new scales.

(e) Supervisors shall be given 2 additional increments in the new scales.

2. (a) The Office-Bearers of the Co-operative Society shall be permitted as and when necessary to do the Society work.

(b) The Management shall give Rs. 2,50,000 as loan to the Society to enable them to purchase sites and houses. The said amount may kindly be recovered in easy instalments.

3. (a) Whenever more than 8 hours of work is extracted from the Watch and Ward they should be given double the normal rates of wages and the Watch and Ward shall be allowed to carry their uniforms to their houses.

(b) The 3rd shift employees shall be given 1 rupee per day towards night-shift allowance. Whenever they are required to watch the vehicles outside the factory they shall be given Rs. 1.50 as additional food allowance.

(c) Existing 2 hours permission may be reduced to 1 hour. The existing provision of slipers shall be continued and 2 pairs of shoes and socks may be given.

4. (a) The employees who assist the boiler, Fireman shall be designated as assistants. The existing 12.50 boiler cleaning allowance shall be increased to Rs. 30-00.

(b) The attenders who are doing clerical works shall be designated and promoted as Clerks. Such of those workers who have passed S.S.L.C. shall be promoted as Clerks.

5. (a) All the employees shall be given 15 days sick leave and 14 days casual leave.

(b) The montly wages shall be disbursed on 1st of every month.

6. (a) Whenever a workman retires or dies, employment shall be given to their relatives irrespective of the educational qualifications.

(b) The wife of Sri A. Chikkanna and the son of Sri Mayanna shall be employed immediately.

7. All the employees shall be given 15 rupees as attendance Bonus.

8. The present canteen shall be run and managed by the Management providing the meals at 30 paise and other articles at cheaper rates.

9. Whenever workers are required to work on holidays, Festival holidays, they shall be given double wages.

10. (a) The workers shall be given an advance of Rs. 1,000 in case of marriage or any other important function and the same shall be recovered in 40 instalments.

(b) Once in 5 years cycle advance of Rs. 300-00 shall be given which can be recovered in 10-00 rupees monthly instalments.

(c) In case of emergency permission shall be given to the workers to have special general body meetings.

(d) The existing festival advance arrangement shall be continued.

11. The death fund shall be so rearranged to the effect that whenever workers give a contribution, equal contribution shall be given by the Management.

12. One day paid holiday shall be given whenever Works Day is observed.

13. Cycle orderlies shall be given Rs. 30-00 as allowance

14. A progressive promotional scheme shall be evolved basing on the seniority-cum-merit with consultation of the Union.

15. Standing Order No. 13 shall be deleted in toto.

16. Taking into consideration the seniority of service a large numbber of korwers who are doing skilled jobs shall be fixed up in the skilled grade.

17. (a) All the other existing benefits and arrangements such as D.A., H.R.A., C.C.A., shall be continued and existing wages etc. in no case the wages shall be reduced (existing wages shall be protected).

(b) No retrenchment shall be made.

(c) No existing benefits shall be curtailed.

18. Retirement age shall be 60 years.

19. Demands shall be given from the date of expiry of the last agreement.

20. When employees are in E.S.I. leave, no deduction shall be made. When employees are on sick leave, no E.S.I. Certificate should be demanded.

21. Depot Manager or the In-Charge shall be given the graduates' scale in view of their responsibilities.

22. A Motor Mechanic shall be appointed for looking after the repairs and maintenance works.

23. The Furlough Leave accrued to the employees shall not lapse and the said employee shall be permitted to avail the same

during their period of service. The existing minimum of 8 days shall be deleted.

Kindly acknowledge the receipt of this charter of demands and oblige.

Thanking you,

Yours sincerely,

Sd/-
(ALLAMPALLI VENKATARAM)
Secretary.

ORDER

Bangalore ,dated 11th April 1975

No. SWL 88 LLA 75 Bangalore, dated 11th April 1975

S.O. 1178 —

Whereas by State Government Order No. SWL 76(2) LLD 74, dated 17th May 1974 the Industrial Dispute between the workmen and the management of M.I.T. Laboratories Ltd., Bangalore, was referred to the Industrial Tribunal, Bangalore, for adjudication.

And, whereas, the Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, therefore, in exercise of the powers conferred by section 17 of the Industrial Disputes, Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the **Karnataka Gazette.**

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour Dispute.—Industrial Dispute between the workmen and the management of Bharth Earth Movers Ltd., Bangalore.

Award of the Presiding Officer, Additional Industrial Tribunal, Bangalore, published.

Read the following Papers:

(1) Letter No. AIT 804—74-75, dated 31st March 1975, from Shri G. S. Bhagwat, Presiding Officer, Additional Industrial Tribunal, Bangalore.

BEFORE THE PRESIDING OFFICER, ADDITIONAL INDUSTRIAL TRIBUNAL, BANGALORE.

Dated this 31st day of March 1975

Present

Shri G. S. Bhagwat, B.A., LL.B.,

Presiding Officer.

A.I.D. 12 of 1966

I Party—

Workmen of Bharat Earth Movers Ltd. by the General Secretary, Bharat Earth Movers Employees' Association, Bangalore-17.

II Party—

The Management of Bharat Earth Movers Ltd., Hindustan Aircraft Post, Bangalore-17.

Appearances:

For the I Party.—Sri A. Nagesha Rao, Advocate, Bangalore.

For the II Party.—Sri S. G. Sundarswamy, Advocate Bangalore.

AWARD

The then Government of Mysore now Karnatak being of opinion that an industrial dispute existed between the workmen and the management of Bharat Earth Movers Ltd., H.A.L. post, Bangalore-17, with regard to the applicability of the provisions for the Payment of Bonus Act and extension of benefits of the said Act to the workmen as Profit Sharing Bonus for each one of the years ending March, 1963, 1964 and 1965 in accordance with the Payment of Bonus Act, 1965, referred the said dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947, by their Order No. LMA 139 LLD 66, dated 7th April 1966 to the Industrial Tribunal, Bangalore and later the Government in their Order No. G.O. No. LMA 595 LLE 66, dated 29th November 1966, transferred the above dispute under Section 33 (b) of the Industrial Disputes Act to the Additional Industrial Tribunal, Bangalore for adjudication. This was numbered as I.D. No. 99/66 on the file of the Industrial Tribunal, Bangalore and after it was transferred, the same came to be numbered as A.I.D. No. 12/66.

2. The workmen filed their statement and the Management of Bharat Earth Movers Ltd., Bangalore contested the claim of their workmen and it filed its counter statement. The I party workmen also filed their reply. Upon the pleadings my learned predecessor framed as many as 12 issues in addition to the points of dspute referred in the aforesaid reference. The parties let in oral as well as documentary evidence. My learned predecessor passed common Award in A.I.D. 11, A.I.D. 12 and A.I.D.21/66 on the file of this Tribunal on 2nd August 1971, which was published in *Mysore Gazette* dated 26th August 1971, by which the Tribunal awarded Payment of Bonus under the provisions of the Payment of Bonus Act to the workmen of the II party *i.e.*, the management of Bharat Earth Movers Ltd., Bangalore-17. The II Party and the Hindustan Aeronautics Ltd., Bangalore-1 filed 2 writ petitions in W.P. 2384/71 and W.P. 2385/71 against the common Award in A.I.D. 11, A.I.D. 12 and A.I.D. 21/

66 on the file of this Tribunal. These two writ petitions were allowed and the Hon'ble High Court of Karnataka in their Order, dated 13th June 1974 set aside the common Award passed by this Tribunal in A.I.D. 11, A.I.D. 12 and A.I.D. 21/66 and remanded the case back to this Tribunal for fresh consideration and disposal, in the light of the evidence already recorded and the evidence to be adduced hereafter in accordance with law.

3. On receipt of the records from the High Court of Karnataka after remand, notices were issued to both the parties and they appeared through their representatives and took adjournment. On 27th March 1975 when the case came up for hearing, on behalf of the I party workmen a memo was filed to the effect that the workmen of the I party do not press the above reference without prejudice to their rights in I.D. No. 32/72 and 25/75 on the file of the Industrial Tribunal, Bangalore.

Shri Shivaprasad, Secretary of the II party present, has no objection for disposing of the above reference since the same is not being pressed. After hearing on both sides and being satisfied of the *bona fides* of the memo filed on behalf of the I party workmen, the same was recorded.

4. Heard on both sides and it was fairly conceded on both sides and more particularly on behalf of the I party that the workmen of the I party do not press their demand under reference without prejudice to their rights in I.D. No. 32/72 and I.D. 25/75 on the file of the Industrial Tribunal, Bangalore. The II party management has also no objection to dispose of the above reference in the manner desired by the workmen of the I party.

In this view of the matter it is unnecessary to refer to all the facts involved in this reference, because this reference can be disposed off as the same is not being pressed by the I party.

In the result the above reference is rejected, the same being not pressed by the workmen of the I party, who initiated the reference.

No Order as to costs.

Dictated to the Stenographer, transcribed by him and corrected by me.

G. S. BHAGWAT,
Presidisg Officer,
Additional Industrial Tribunal,
Bangalore.

'Copy'

G. S. BAGWAT
Presiding Officer,
Additional Industrial Tribunal, Bangalore.

Order No. SWL 92 LLA 75,

Bangalore, dated the 15th April 1975

S. O 1179.—

WHEREAS by State Government Order No. LMA 139 LLD 66, dated 7th April 1966, the Industrial Dispute between the workmen and the management of Bharath Earth Movers Ltd., Bangalore, was referred to the Additional Industrial Tribunal, Bangalore, for adjudication.

AND WHEREAS the Additional Industrial Tribunal Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette*.

By Order and in the name of the Governor of Karnataka

K. MYLARAPPA,
Under Secretary to Government.
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour dispute.—Industrial dispute between the workmen and the Management of Hebbalbhagad Doddapramanada Prathamic Pattin Vyavasaya Sahakari Sangh Niyamit, Hebbal, Taluk Shirahatti, District Dharwar.

Award of the Presiding Officer, Labour Court, Hubli, published.

Read the following papers.

(1) Letter No. LCH-34/75-76, dated 2nd April 1975 from Sri H. L. Narayanagowda, Presiding Officer, Labour Court, Hubli.

BEFORE THE LABOUR COURT AT HUBLI

Reference ID LCH Claim No. 13/1974

PRESENT :

Sri H. L. Narayanagowda, B.A., LL.B.

Presiding Officer

Date : 2nd April 1975

Claimant :

Sri S. V. Kashimath of Hebbal, Taluk Shirahatti, District Dharwar.

(By Sri P. G. Wadikar)

Respondent :

The Management of Hebbalbhagad Doddapramanada Prathamic Pattin Vyavasaya Sahakari Sangh Niyamit, Hebbal, Taluk Shirahatti, District Dharwar.

(By Sri G. B. Muttur Advocate)

Order No. SWL 881 LLD 73, dated 22nd January 1974

JUDGEMENT AND AWARD

The Government of Karnataka have made this reference under clause (c) of sub-section (1) of Section 10 of the I.D. Act 1947 (Central Act 14 of 1947) referring the

dispute between Sri S. V. Kashimath, Ex-Assistant Secretary, Hebbalabhagad Doddapramanada Prathamic Vyavasaya Sahakari Sangh, Niyamit, Hebbal and the Management of Hebbalabhagad Doddapramanada Prathamik Vyavasaya Sahakari Sangh Niyamit, Hebbal for adjudication to this Court on the following points of dispute.

"Are the Management of Hebbalabhagad Doddapramanada Prathamic Vyavasaya Sahakari Sangh Niyamit, Hebbal post, Taluk Shirahatti, justified in terminating the services of Sri S. V. Kashimath, Assistant Secretary of the Society from 15th January 1972 ?

If not, what relief the worker is entitled to ?"

2. The claimant in his claim statement states as follows :

The claimant was appointed as Assistant Secretary on 1st June 1963 temporarily and he was confirmed on 30th September 1963. He was sent to Co-operative Secretary training by the Respondent. The claimant was receiving his pay at Rs. 65 p.m. as on 1st January 1972. He was serving efficiently and honestly till the date of his termination on the ground that the Co-operative Society was running in loss. It is very clear that the society is in progress since 1963. The service book of the claimant will prove that the claimant was honest and efficient. On 15th January 1972 the Management abruptly terminated the services of the claimant and Sri H. H. Patil clerk who was again reappointed in the service of the said society. But the claimant was not appointed or reinstated. After the termination order of the claimant was approached the Assistant Registrar of co-operative societies and he passed the order in the favour of the claimant. The Management appealed to the Co-operative tribunal and the co-operative tribunal quashed the order of the arbitrator on the ground that this dispute will not come under section 70 of the Mysore Co-operative Societies Act 1959 in view of the decision reported in AIR 1969 SC 1320 and AIR 1970 SC

245 and 1972 (2) Mys. L.J. 327. Therefore the applicant was forced to raise an Industrial dispute and the conciliation proceedings were ended in failure. The claimant was the permanent Assistant Secretary. Before the terminating the service the Management did not follow the procedure of Natural justice. The order of the Management is clear that the services of the claimant which were terminated amounts to the retrenchment. Before retrenchment the Management did not follow the procedure as laid down in the I.D. Act 1947. Therefore the claimant prays that this court to set aside the termination order of the Management and he should be reinstated in service with full back wages and continuity of service and cost of the arbitration amounting to Rs. 330 spent by the claimant.

3. The Respondent in its written statement pleads as follows :

The claimant's services had to be terminated since the Respondent society was running in loss and the financial position of the society was not sound. The termination of the claimants service was for a *bona fide* and valid reason. Hence the claimant is not entitled for re-instatement with back wages. This respondent does not agree that the claimant is entitled to reinstatement with back wages. The claimant does not come under the definition of " worker " as defined in the I.D. Act. He was working as Assistant Secretary. The post is neither clerical nor a post involving manual labour. Hence the claim petition is not tenable in law. Hence this reference cannot be entertained for want of jurisdiction. Moreover the dispute being a dispute touching the constitution, Management and business of the society, such a dispute cannot be entertained by the Labour Court for want of jurisdiction. The claim put forth by the claimant is barred by limitation and his claim statement deserves to be rejected. The termination of the claimant's services being valid in law he is not entitled for reinstatement with back wages. He is also not entitled for any other relief. His claim petition deserves to be rejected.

4. In support of its case the Respondent has examined its Chairman Sri Malleshappa Mundawad as MW-1 and has closed. Ex. M-1 to M-8(a) are the document filed for it. The claimant has examined himself as WW-1 and has closed. Ex. W-1 to W-7 are the documents filed for him.

5. I have perused the records and heard Sri P. G. Wadikar learned representative for the claimant and Sri G. B. Muttur, learned advocate for the Respondent.

6. The Chairman of the Respondent Sri Malleshappa Mundwad MW-1 has stated that he is the Chairman of the Respondent society since 3 years. The claimant was working as Assistant Secretary in their society. They terminated his services from 15th January 1972. They terminated the services of the claimant because the society had no sufficient work and also it had incurred losses. Ex. M-1 is the copy of profit and loss account for the year 1971-72. Ex. M-1(a) is the relevant entry. Ex. M-2 is the copy of the profit and loss account for the year 1972-73. Ex. M-2(a) is the relevant entry. In Ex. M-2(a) it is shown that the society has made a profit of Rs. 2925-78. But this profit was not earned in business. The society had incurred a loss to the extent of Rs. 8875-71. During this year they received a subsidy of Rs. 3,125-00 from the Government. As they have taken to the credit side, there is surplus. As a matter of fact, the society has earned no profit in the business. It is not true that the society has incurred no loss. They have appointed another person as Assistant Secretary from March 1973. They terminated his services on 5th December 1973. Ex. M-3 is the letter dated 21st February 1973 received from the Chairman, Pool Committee, Dharwar District KCC Bank Dharwar. They had no necessity of Assistant Secretary, but as the pool insisted that they should take a person, as Assistant Secretary, they appointed in 1973. 75 per cent of his pay was being paid by the Pool Committee. They wrote a letter to the Pool Committee that there was no sufficient

work and that the services of an Assistant Secretary were not necessary. The Office copy of the letter dated 7th December 1973 is Ex. M-4. After writing the original of Ex. M-4 they terminated the services of the Assistant Secretary. It is not true that the claimant was a permanent employee of their society. Ex. M-5 are the proceedings book of their society starting from March 1956. Ex. M-5(a) is the resolution dated 30th June 1963. Ex. M-5(a) is written by a different person. The rest of the entries are written by another person. The claimant has written Ex. M-5(a). The subject of Ex. M-5(a) is not to be found in the Agenda, mentioned in Managing Committee proceedings book Ex. M-6. Ex. M-6 (a) is the Agenda dated 9th September 1963. It is true that the resolutions of previous year are confirmed in General body meeting. The proceedings of the General body are sent to the Co-operative Department and also to K.C.C. Bank. Ex. M-7 is the certified copy of proceedings of the general body for the year ended 30th June 1963. The resolution No. 5 in Ex. M-5 viz. Ex. M-5(a) is not to be found in certified copy Ex. M-7. It seems to him that Ex. M-5(a) is a letter insertion. Ex. M-5 (a) has been written by the claimant subsequently. This resolution Ex. M-5 (a) was not passed at the meeting. Ex. M-8 is the proceedings book of the Manaying Committee starting from 16th July 1966. Ex. M-8(a) is the resolution, dated 3rd February 1969 Ex. M-8(a) has been passed under the impression that the General body resolution Ex. M-5(a) was a genuine one. It is not true that the claimant was a permanent employee of the Respondent society.

7. In cross-examination he states that since 3 years he is the Chairman. He was not Chairman completely for 1973-74. He was Chairman for some time during that year. He was not Chairman at the time of passing Ex. M-5(a). He was not President when Ex. M-5(a) was passed. It is true that the Secretary has signed. It may be that the Chairman and the Secretary have signed the proceeding book Ex. M-5. He came to know about

the later insertion of Ex. M-5(*a*) after 10 years. They did not issue any notice to the claimant for inserting Ex. M-5(*a*). He did not enquire the then President about the matter. He do not know whether the Assistant Registrar has approved the appointment of the claimant. Ex. W-3 is the certified copy of the resolution, dated 3rd February 1969. Ex. W-4 is the certified copy of the approval of the Assistant Registrar about the appointment of claimant, dated 24th February 1969. It is true that they terminated the services of the claimant because there was loss in their business. They have removed 2 employees, *viz.*, the claimant and one Hejjegowda Patil. It is true that Hejjegowda was reinstated. The pay of Hejjegowda is Rs. 65. The pay of the claimant was Rs. 60. They did not reappoint the claimant. They did not issue any notice to the claimant when his services were terminated they did not pay retrenchment compensation to the claimant. It is true that after termination the claimant approached the Assistant Registrar for arbitration. There was an arbitration case. It is true that the arbitrator decided that the claimant should be reinstated in service with full back wages. Ex. W-5 is the certified copy of the arbitration award. They filed an appeal to the Co-Op;. Appellate Tribunal against the decision of the arbitrator. It is true that the appellate Tribunal was held that the arbitrator had no powers to order reinstatement. Ex. W-6 is the certified copy of the judgement of the Co-op. Appellate Tribunal dated 3rd February 1973.

8. In Re-Examination he states that Hejjegowda was working as clerk. The claimant was working as Assistant Secretary. Sri Hejjegowda was reappointed for collection work. Subsequently he worked only for 4 or 5 months. They appointed clerk only as temporary servant for collection work.

9. The claimant as WW-1 has stated that he was appointed in the Respondent society as Assistant Secretary on monthly pay of Rs. 25 he was appointed on 1st June

1963. He was confirmed on 30th September 1963. He was written all resolutions in Ex. M-5 except first subject. The Secretary has signed all the resolutions. The Presidnet has also signed Ex. M-5. These resolutions were read over in the following year in general body meeting. When the resolution under Ex. M-5(*a*) was read in the general body meeting no body objected. Subsequently other meetings have taken place. They have sent true copies of the resolution to the Assistant Registrar of co-operative societies. They have not sent the resolution under Ex. M-5(*a*) to the K.C.C. Bank because it relates to employees of the Respondent. So it is not included in Ex. M-7. On 24th February 1969 the Registrar approved his appointment. Then he had been deputed for training by the Respondent. The Respondent bore his expenses on 31st January 1971 provident Fund scheme was introduced. His contribution to the Provident Fund was deducted in his pay. Ex. W-7 is the receipt for having deducted the his contribution to the Provident Fund dated 1st January 1972. The Respondent Society is under loss at present because their area was affected by draught and the members would not repay their loans. This is only a temporary loss. If the loans are recovered the society will again be on profit side. Himself and Sri H. H. Patil were removed from service. On account of their being surplus. No notice was issued to him before his services were terminated. He was not paid retrenchment compensation. He is not paid salary for 15 days within 3 or 4 months Sri H. H. Patil was reinstated. But he was not reinstated. The Respondent did not call him for reinstatement. Sri H. H. Patil is now drawing Rs. 85 he was getting a salary of Rs. 65. The Respondent did not take the permission of the Assistant Engineer before his services were terminated. After his services were terminated he made an application to the Assistant Registrar. The arbitrator decided that he should be reinstated in service with full back wages and cost of the proceedings. The Respondent filed an appeal to the Co-operative Appellate Tribunal, Bangalore against

the award of the arbitrator. The Co-operative Tribunal allowed the appeal of the Respondent. Then he raised an Industrial dispute and he has come to this Court. His services were terminated because of Political reasons. He pays that he may be reinstated in service with full back wages and continuity of service and costs.

10. In cross-examination he states that it is true that he was appointed in June 1963. It may be that he had been appointed some 8 or 10 years prior to his appointment. He do not know whether his appointment was temporary. It is true that his appointment and the appointment of Secretary were sent for approval at one time. They write resolutions according to the agenda. Resolution are written in minutes book according to the subject numbers in the Agenda. The subject number 5 in Ex. M 6(*a*) is not to be found in Ex. M-5(a). It is true that he has corrected the original resolution No. 5 or 6 as per Ex. M-5(b). It is true that he has corrected other resolutions and he has initialled. It is not true that after some years he has inserted that resolution under Ex. M-5(a). It is not true that thinking that a resolution had been passed the Respondent recommended his name to the Assistant Registrar for approval. It is not true that he has not been confirmed legally. He worked in the Respondent society for 9 years. It is true that the society was under loss when services were terminated. It is true that Sri H. H. Patil was taken as clerk. He do not know whether he was taken back on temporary basis. It is true that his services were terminated because of the financial condition of the society.

11. There can not be any valid objection on the part of the Respondent for reinstatement of the claimant in service. During the evidence stage the Respondent has developed a case stating that the claimant has inserted Ex. M-5(a) resolution in the resolution book Ex. M-5, with regard to his appointment. He has not been validly appointed and he has not been validly confirmed. It is

true that the resolution No. 5 in Ex. M-5 *i.e.*, Ex. M-5(a) is not to be found in Ex. M-7. But the Respondent should not take the claimant by surprise regarding this part of its case. It ought to have pleaded in the written statement, then the claimant would have been able to reply and would have taken steps to meet its case. Now the claimant is denied the opportunity of meeting the Respondent's case about later insertion of Ex. M-5(a) and also about the Respondent case that the claimant is not validly appointed and his appointment is not validly confirmed. So I do not propose to go into the objection of the Respondent the claimant has inserted Ex. M-5(a) and on that account he should not be reinstated. The claimant has worked for 9 years. Admittedly, even according to the Respondent his services have been terminated because of financial conditions of the society. The Respondent has suggested in cross examination of the caimant that his services were terminated because of the financial condition of the society. So only point to be considered is whether the claimant should not be reinstated because the financial condition of the society is bad.

12. It is to be noted that both the claimant and one Sri H. H. Patil were sent out together. But Sri H. H. Patil has been taken back by the Respondent society. It is true that he has been taken as clerk. But still there is reinstatement of Sri H. H. Patil. There is no reason why the claimant should not be reinstated in service. I propose to order his reinstatement. I will not allow back wages.

AWARD

13. I order that the Respondent should reinstate the claimant in service. No back wages are allowed. Continuity of service is allowed. No costs.

(Dictated to the Stenographer, transcribed and typed by him and corrected by me).

Sd./-

Hubli,
2nd April 1975.

H. L. Narayanagowda,
Presiding Officer,
Labour Court, Hubli.

"True Copy"
H. L. Narayanagowda,
Presiding Officer,
Labour Court, Hubli.

Order No. SWL 98 LLA 75,

Bangalore, dated the 14th April, 1975

S.O. **1180**.—WHEREAS by State Government Order No. SWL 881 LLD 73, dated 23rd January 1974 the industrial dispute between the workmen and the Management of Hebbalbhagad Doddapramanada Prathamic Pattin Vyavasaya Sahakari Sangh Niyamith, Hebbal, Taluk Shirahatti, District Dharwar, was referred to the Labour Court, Hubli, for adjudication.

AND WHEREAS the Labour Court, Hubli has submitted to the State Government its award in respect of the said industrial dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act, 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE & LABOUR SECRETARIAT

Labour Dispute.—Industrial dispute between the workmen and the management of Shankar Kodige Estate, Balehonnur Post, Chickmagalur District.

Award of the Presiding Officer, Labour Court, Hubli-21, published

Read the following papers.

(1) Letter No. LCH/REF/2411/74-75 dated 18th February 1975 from Sri H. L. Narayana Gowda, Presiding Officer, Labour Court, Hubli.

BEFORE THE LABOUR COURT AT HUBLI

Reference (ID) LCH Claim No. 59/72

Present : SHRI H. L. NARAYANAGOWDA, B.A., LL.B.,
Presiding Officer

Date 13th February 1975

Claimant.—E. Korga & others, by the Secretary, Mysore Thota Tholilalar Munnetra Sangham, Jayapura, P.O. Chickmagalur District.

Respondent.—The Management of Shankar Kodige Estate, Balehonnur P.O. Chickmagalur District.

Reference G.O. No. FCL 489 LLD 69, dated 22nd October 1969

AWARD

Case Called at Chickmagalur camp :
Date 13th February 1975.
Claimant : By Sri B. S. HALAPPA, Present.
Respondent : By Sri CHANDRAIAH HEGADE, present.
Witness : Sri MANJUNATH, LABOUR *Officer*, Mysore Present.

The Parties file Joint Memo of settlement. According to the Compromise, the Respondent should pay Rs. 6,600 to the Claimants on or before 31st March 1957, in full settlement of the claim in this

case and also bonus claimed in I.D. No. 23/72 before the Industrial Tribunal,Bangalore. The Award is passed in terms of the said Compromise No costs.

(Sd.) H. L. NARAYANAGOWDA,
Presiding Officer,
Labour Court, Hubli.

BEFORE THE LABOUR COURT, HUBLI

Camp : Chikmagalur

Claimants : Koraga & others.

Vs.

Respondent : Management of Shankarakodige Estate, Balehonnur Post.

Memorandum of Settlement

1. The management agrees to pay to the claimants a sum of Rs. 6,600 (Rs. six thousand and six hundred only) in full and final settlement of all the claims in respect of the above case (Ref. I.D. 59/72) and bonus claim before Industrial Tribunal, Bangalore in I.D. 23/72.

2. The claimant workmen accept the above amount in full and final settlement of all the claims in respect of the above two cases.

3. The workman also agree not to press for re-instatement, back wages continuity of service and gratuity.

4. The respondent management agrees to pay the said amount on or before 31st March 1975 to the workmen through the working President of Mysore Thotta Tholilalar Munnetra Sangam,, Jayapura, Sri B. S. Halappa.

5. The award may be passed in terms of the above settlement.

Signed this 13th day of February 1975 at Chikmagalur.

..... B. S. HALAPPA.

For Respondent Management *For Claimant Workmen*

Order No. SWL 60 LLA 75, Bangalore, dated 16th March 1975

S. O. 1181.—

WHEREAS by State Government Order No. FCL 489 LLD 69, dated 22nd October 1969 the industrial dispute between the workmen and the management of Shankar Kodige Estate, Balehonnur Post, Chickmagalur district, was referred to the Labour Court, Hubli, for adjudication.

AND WHEREAS, the Labour Court, Hubli, has submitted to the State Government its award in respect of the said industrial dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the Karnataka Gazette.

By Order and in the name of the Governor of Karnataka,

(K. MYLARAPPA,)
Under Secretary to Government,
Social Welfare & Labour Department.

FOOD AND FOREST SECRETARIAT

Notification No. AFD 133 FAF 72.

Bangalore dated 10th February 1975.

S. O. 1185.—In exercise of the prowers conferred by Section 4 of the Karnataka Forest Act, 1963 (Karnataka Act 5 of 1964) the Government of Karnataka hereby :—

(1) declares that it has been decided to constitute the land in Shankernarayana village of Coondapur Taluk of South Kanara District, the situation and limits of which are specified in the schedule below, as reserved forest :

(2) appoints the Forest Settlement Officer, South Kanara, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of sub-section (1) of the said Section : and

(3) appoints the Divisional Forest Officer, Coondapur Division, Coondapur to represent the State Government in the enquiry by the said Forest Settlement Officer.

SCHEDULE

Name of the District :	South Kanara
Name of the Taluk :	Coondapur
Name of the Village :	Shankeranarayana
Name of the Block :	Shankeranarayana Block III
Field Survey Nos. ;	31, 102, 37 and 367
Area :	53.42 Hectares (132.00 acres)

Boundary Description

North :—Starting from station No. 65 cairn No. 66 (about 4½ chains South-East from S. No. 365 patta land of Mudumane Krishna and 2 chains South-West from Bailoor Shankat Road (mudroad), the demarcation line runs in North-East direction to Station No. 66, a distance of 400 links. Thence it runs in South-East to station No. 67 to a distance of 800 links. from there the line moves in almost Southern direction to station No. 68 to a distance of 337 links. Again the line runs in South-East

direction to station No. 71 passing through the intermediate station No. 69 and 70 at a total distance of 1404 links. Thence the demarcation line runs in North-East direction to station No. 72 at a distance of 553 links. Afterwards the demarcation line runs in almost Eastern direction to station No. 73 at a distance of 564 links. From there it runs in North-East direction to Station No. 75 passing through the intermediate station No. 74, a total distance of 990 links. Again the demarcation line runs in almost Eastern direction to Station No. 76 at a distance of 431 links. Then runs in North-East direction to station No. 77, a distance of 344 inks. Thence the demarcation line runs in nearly Eastern direction to station No. 6 (cairn No. 1) over a distance of 408 links. Once again the demarcation line runs in North-East direction to station No. 1, a distance of 360 links. From there it runs in South-East direction to station No. 2 to a distance of 471 links. Thence the demarcation line moves in nearly Eastern direction to station No. 3 a distance of 492 links. From there it runs in North-East direction to station No. 6 passing through the middle stations No. 4 and 5 to a distance of 1277 links. Again runs in nearly Eastern direction to station No. 7, a distance of 303 links. Thence the demarcat on line runs in South-East direction to station No. 8, a distance of 380 links. Once again it runs in nearly Eastern direction to station No. 9 over a distance of 686 links. Then runs in almost Eastern direction to station No. 10 at a distance of 578 links.

The bearings and distance from station to station are as follows :—

Station From	Numbers To	F. Bearings in degrees	Distances in links
1	2	3	4
65	66	53½	400
66	67	124	800
67	68	184½	337
68	69	159½	444
69	70	164½	392

70	71	101	568
71	72	15	553
72	73	95	564
73	74	77½	457
74	75	76½	533
75	76	85½	431
76	77	77	344
77	0	80	408
0	1	64½	360
1	2	106½	471
2	3	84½	492
3	4	14	460
4	5	49½	433
5	6	65	384
6	7	83	303
7	8	133	380
8	9	95½	686
9	10	8½	578

East :—From station No. 10 (Cairn No. 11) the demarcation line runs in South-West direction to station No. 12 passing through the intermediate station No. 11 to a distance of 850 links Thence it runs in North-West direction to station No. 13 a distance of 599 links. Again it moves in South-West direction to station No. 14, a distance of 489 links. Then it moves nearly in southern direction to station No. 15 to a distance of 382 links. Thence the demarcation line runs in South-East direction to station No. 18 passing through the intermediate station No. 16 and 17 to a distance of 1168 links. From there the demarcation line moves in South-West direction to station No. 19, a distance of 349 links.

The bearings and distance from station to station are as follows:—

Station From	Numbers To	F. Bearings in degrees in	Distances in links
1	2	3	4
10	11	224½	459
11	12	257½	391
12	13	285½	599
13	14	223½	489
14	15	189	382
15	16	151	374
16	17	138	544
17	18	155	250
18	19	202½	349

South :—From station No 19 (Cairn No. 20) the demarcation line runs nearly in Western direction to station No. 20, a distance of 465 links. From there it runs in North-West direction to station No. 22 to a distance of 1539 links passing through the middle station No. 21. Thence it moves in South-West direction to station No 23 to a distance of 694 links. Again it runs in North-West direction to station No. 24 at a distance of 755 links. Thence it runs in South-West direction to station No 25 over a distance of 408 links. From there the demarcation line runs in South-East direction to station No. 27 passing through middle station No 26 at a total distance of 1599 links. Thence it moves in North-East direction to station No 28, a distance of 460 links. Again it runs in South-East direction to station No. 29 to a distance of 1072 links. From there the line runs in almost Western direction to station No. 31 passing through the Middle station No. 30 to a distance of 795 links. Then runs in South-West direction to station No. 32, a distance of 314 links. Thereafter it runs in North-West ditection to station No. 33 to a distance of 494 links. From there it runs in nearly Western direction to station 34 over a distance of 337 links. Thence it runs in North-West direction to station No. 40 passing through the intermediate station No. 35 to 39 to a total distance of 2529 links. Thence the demarcation line runs in South-West direction to station No. 41, a distance of 200 links. From there it moves in nearly western direction to station No. 42 a distance of 454 links and thence runs in nearly Southern direction to station No. 43 to a distance of 711 links. From there it runs in almost Southern direction to station No. 45 passing through the intermediate station No. 44 to a distance of 901 links. From there it runs in South-East direction to station No. 48 passing through the intermediate station No 46 and 47 to a distance of 1539 links. Then moves in almost western direction to station No. 49, a distance of 584 links. Thence it moves in North-Western direction to station No. 50, a distance of 600 links. From there the demarcation line moves in South-West direction to station No. 52 passing through the intermediate station No. 51 to a distance of 552 links.

The bearings and distances from station to station are as follows :—,

Station From	Numbers To	F. Bearing in degrees	Distances in links.
1	2	3	4
19	20	275½	465
20	21	322	1060
21	22	285½	479
22	23	217	694
23	24	311	755
24	25	241	4 8
25	26	154	820
26	27	150½	779
27	28	63	460
28	29	134½	1072
29	30	269	350
30	31	268	445
31	32	245½	314
32	33	302	494
33	34	280	337
34	35	293½	358
35	36	332	537
36	37	332½	324
37	38	314½	399
38	39	291½	433
39	40	289	478
40	41	258½	200
41	42	279	454
42	43	189½	711
43	44	177½	364
44	45	182	537
45	46	103½	739
46	47	155	360
47	48	160½	440
48	49	269	584
49	50	295½	600
50	51	248	256
51	52	259½	296

West:-Prom station No 52 (Cairn No. 53) the demarcation line runs in nearly Nothern direction to station No. 53 to a distance of 506 links. Thence it moves in North-West direction to station No.55 passing through the intermediate

Ayacut Statement prescribed in B. P. Forest No. 455 dated 2nd October 1896 Name of the proposed block: 'Shankernarayana 'Block' III' in S No. 31, 37, 367 and 102 of Shankeranarayana village in Coondapur Taluk, South Kanara District.

Name of the village	Area	Area of per-amboke, village. site, etc,	Area under cu'tivation (occupied)	Area included in sanction R.F.
1	2	3	4	5
Shankernaryana village.	2 312 38 Hectares (5,714 06) acres	185.20 Hectares (457.66) acres	819.59 Hectares (2,025.27), acres	80.68 Hectares (199.36) acres

Area proposed for reservation	Balance of was to land		
	Assessed	Unassessed	Total
6	7	8	9
53.42 Hectares (132 00) acres	1173.40 Hectares (2899.54) acres	0.09 Hectares (0.23) acres	1173.49 Hectares (2899.77) acres

stations 54 at a total distance of 904 links. Thence again it moves in almost Northern direction to station No.56 over a distance No.591 links. From there it moves in North-East direction to station No. 59 passing through the middle station No 57 and 58, to a distance of 871 links. Thence runs in North-West direction to station No.61 passing through the middle station No 60 to a distance of 686 links. From there it runs in nearly Northern direction to station No. 62, a distance of 397 links. Then moves in North-West direction to station No. 65 (Cairn No. 66) passing through middle stations No. 63 and 64 to a total distance of 1274 links. Station No. 65 is the starting point of the block and thus closes the traverse.

The bearings and distances from station to station are as follows:

Station From	Numbers To	F. Bearings in degrees	Distances in links
1	2	3	4
52	53	35½	5 6
53	54	325½	257
54	55	3 ½	617
55	56	359	591
56	57	74½	234
57	58	61	250
58	59	12½	337
59	60	307½	427
60	61	337	259
61	62	6½	397
62	63	343½	374
63	64	338½	408
64	65	303½	492

Traverse closes....

Public Rights of ways:—

1. Halady-Wandse P. W D. road passes through this Block. The road from Halady enters the block between Cairn No. 24-25 and runs in Northern direction and exits the block between Cairn No.1-2 (It is a P. W. D Road).

2. A road coming from Bailoor enters the block between Cairn No. 66-67 and exits the block between Cairn No.67-68 runs more or less parallel to Demarcation line and joins the Halady Wandse road near Cairn No.1.

3. A cart-track starting from Road referred in item No. 2 enters into the block between Cairn No. 75-76 and goes in Southern direction and leaves the block between Cairn No. 40-41 and goes to the village.

4. A foot path starting from Shankat Bailoor road enters the block between Cairn No. 71-72 and runs in Southern direction, exits the block in between Cairn No. 54-55 and goes to village Adur Bylu.

5. A foot path enters block from Halady-Shankat road in between Cairn No. 67-68 and leaves the block in between Cairn No. 64-65 and goes to Adur Bylu.

Other Privileges

1. Free grazing of cattle by the villagers.

2. Free removal of green manure leaves from Unreserved trees for bonafide use by the ryots.

3. Free removal of dry fuel for bonafide use by the villagers.

Free removal of Muligrass by villagers for bonafide use.

By Order and in the name of the Governor of Karnataka,

JAYATHIRTHA RAO BAPU,
Under Secretary to Government,
Food and Forest Department.

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Statement showing the Area and condition prescribed in G. O. No. 640 dated 4th July 1887 Name of the Block 'Shankeranarayana Block III' in S. No. 31, 37 367 and 102 of Shankeranarayana village in Coondapur Taluk, South Kanara.

Name of Taluk and Extent.	Extent		Area of R. F. Reserve Forest already notified under Section 16.	Area of the Reserve Under settlement.
	Occupied Govt. land	Unoccupied Govt. land		
1	2	3	4	5
Coondapur :—				
1,55.471.86 Hectares (3,84 179.00) acres	44,885.07 Hectares (1,10 913.33) acres	1 10 586.79 Hectares (273265.67) acres	51 550.00 Hectares (1,27,382.70) acres	7216.69 Hectares

Area of the Reserve submitted for notification under section 4.	Charactor of land		Probable extent of the land available for grazing.
	Forest land	Grass land	
6	7	8	9
53.42 Hectares (132.00) acres	53.42 Hectares (132.00) acres	—	6,412.44 Hectares (15,854 00) acres

Statement showingt he name of villages lie which within a distance of half a mile from the proposed block 'Sankarana ayana Block III' in S. No. 31, 37, and 102 3.7 of Shankaranarayana village Coondapur Taluk.

Sl. No.	Name of the village	Distance from the proposed line.	No of houses in the locality.	Population	Number of Cattle	Cultivation			Remarks
						Dry	Garden	Wet	
1	2	3	4	5	6	7	8	9	10
1	Shankeranarayana	within the block.	30	280	350	54.01 Hectares (33.50) acres	4 05 Hectares (10.00) acres	29.99 Hectares (74 10) acres	

Perambulation Certificate

Certified that Shankernarayana Block III is located in S. No. 31, 102, 37 and 367 of Shankernarayana village of Coondapur Taluk. The block was surveyed by Sri A. A. Appanna, Forester (S & D) Karkala and checked by me. I have perambulated the block and found that block is free from encroachments. 100 yards belt area has been le t for all kadim warga lands around the block. All reserved lands and Panchayat Farm Forestry area has been excluded from the block.

Tree Growth Certificate.

The block is named as Shankeranarayana Block III in S. Nos. 31,102, 37 and 367 of Shankeranarayana village of Coondapur Taluk. The area is sparesely wooded and contains mainly following species. Santalum album (Sandalwood) other species available this block are Hopea parviflora (Kiral bogi), Hopea wightiana (Higa), Strychnos nuxvomica (Kasn), Artocarpus hirsuta (Aini) Mangifera indica (Mango), Holigarna arnotian (Charo), Terminalia paniculata (Marwa), Terminalia Chebula (Alale), Carellia integrima (Andipunar), Terminalia belerica (Shanthi), Ailanthus malabarica (Guguldhupa), Mimusopo elengi (Bakul), Bassia latifolia (Sanna Ippe), Eugenia jambola (Nerale), Phoenix syivestris (Eochalu), Chinnamomum xeylanicum (Dalchini), Bikki. Entire area is having gentle slop with gravelly soil. On either side of Halady-Wandse road in block there are plenty of sandalwood saplings,

List of adjoining pattadarsaround Shankernarayana Block III in S. No. 31, 102, 37 and 367 of Shankarnarayana village, Coondapur Taluk, South Kanara District.

S. No.	Name of Pattadar.
365	H. Krishna
367	A. W.
51	Durgi shedthi Road to Kaveramma
76	Road
100	Bedu Hegde
339	Manjayya Hegde
109	Shankernarayana Shas'hri
50	Road
48	Krishnaraya Kodgi
311	Shesappa Bandary
49	Krishnaraya Kodgi
37	A W.
344	Narashima Maiya
31	A. W.
373	D. C. R.
370	do

FOOD AND FOREST SECRETARIAT

Notification No. AFD 52 FWL 74.

Bangalore, dated.....1974.

S.O.1186.—WHEREAS, by Bombay Government Resolution No. WLP 1953 dated 10th May 1956 the area, the situation and limits of which are specified in the Schedule I below, has been declared to be a Game Sanctuary at Dandeli:—

AND WHEREAS, the Government considers it necessary to alter the limits and boundaries of the said Sanctuary.

AND WHEREAS, the Government of Karnataka considers that it is desirable to declare the area, the situation and limits of which are specified in the schedule-II below, to be a Sanctuary as it is of adequate ecological, faunal, floral, geomorphological, natural or Zoological significance for the purpose of protecting, propagating or developing wild life or its environment:

NOW, THEREFORE, in exercise of the powers conferred by Section 18 of the Wild Life (Protection) Act, 1972 (Central Act 53 of 1972) the Government of Karnataka hereby declares the area, the situation and limits of which are specified in the Schedule-II below, to be a Sanctuary called as "*Dandeli Wild Life Sanctuary*".

SCHEDULE-I

Area :

Dendeli Park area-79.82 Sq. Miles

District :

North Kanara

Bounrdaies :

North :—The Kalinadi river from Dandeli causeway to Bomanahalli Causeway.

East :—The Kalinadi river from Somanahalli causeway to its junction with Tallihalla.

South —Kalinadi and Kaneri rivers upto the crossing of the Potoli-Gund road.

West :—Village boundaries of Kumbeli, Talawada and Potoli villages.

North :—Potoli—Dandeli Road upto Dandeli

West :—Causeway.

SCHEDULE II

Name of the Districts :

North Kanara, Belgaum and Dharwar

Area :

14, 15, 724.80 Acres or 5729 07 Kms.

Boundary Description :

North :—Starting at a point known as Tadas along Kalghatgi Tadas Road the line passes through Kalghatgi, Kundargi, Haliyal, Alnawar, Londa, Ganie, Khanapur, Kankumbi and touches the Maharastra and Karnataka States common boundary where the Khanapur Chorla Road intersects.

East :—The line runs along the common boundary between the Maharastra Karnataka States upto the Tri-Junction point of Goa, Mahara-tra and Karnataka States. Then the line runs along the State boundaries of Goa and Karnataka States upto a point where Gotegali-Goa road intersects the common boundary. Hence the line runs along the Got-gali-Goa road where it intersects river Kali. Thence the line runs along the western boundary of the shooting block 48 of Karwar Division upto Belekeri.

South :—From Belekeri the line runs along Banvasi Sirsi Belegeri road along Hosa Kambi, Sirsi and to Banvasi.

West :—From Banvasi the line runs along Banvasi-Dasan Kop road upto Dasankop and runs upto Hangal upto Tadas the starting point of the Sanctuary.

By Order and in the name of the Governor of Karnataka,

S. SHYAM SUNDER,
Special Officer and Ex-officio
Joint Secretary to Government,
Food and Forest Department.

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FINANCE SECRETARIAT

Notification No. FD 124 CSL 75.

Bangalore, dated May 1975.

S. O. 1187.—In exercise of the powers conferred by section 8-A of the Karnataka Sales Tax Act 1957, (Karnataka Act No. 25 of 1957), the Government of Karnataka, hereby reduces with effect from 1st May 1975, the rate of tax payable under the said Act on the sale of glassware and glass bottles from eight percent to six percent.

By Order and in the name of the Governor of Karnataka,

T. M. VASUDEVAN,
Under Secretary to Government,
Finance Department

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Notification No. FD 162 CSE 75.

Bangalore, dated 7th May 1975.

S. O. 1188—In exercise of powers conferred by clause (a) of sub-section (1) of Section 3-B of the Karnataka Sales Tax Act, 1957 (Karnataka Act No. 25 of 1957), the Government of Karnataka hereby makes the following amendments to Government Notification No. FD 335 CSE 73, dated 24th August 1974, namely:—

In the table below the said notification, after serial number 4, the following entry shall be inserted.

4A. Additional Deputy Commissioner of Hubli Commercial Taxes (Appeals), Dharwar.	Districts of Dharwar and North Kanara.

By Order and in the name of the Governor of Karnataka,

T. M. VASUDEVAN,
Under Secretary to Government,
Finance Department.

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REVENUE SECRETARIAT

Corrigendum, No. RD 27 LRA 74.

Bangalore, dated 18/20th February 1975.

S. O.1189.—For the name "Siddappa" appearing in Government Notification No. RD 27 LRA 74 dated 11th July 1974 (Chittapur Taluk) read the name "Saibanna".

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE,
Asst. Spl. Officer for L. R. & Ex-officio
Under Secretary to Government,
2236 *Revenue Department.*

Corrigedum No. RD 27 LRA 74.

Bangalore, dated 10/13th January 1975.

S. O. 1190.—In Notification No. RD 27 LRA 74 dated 31st December 1974 (Mangalore Taluk) for the name "Sri Sanjeeva Survana, President, Surathkal Gurupur Block Congress Committee residing at Kadri Toll Gate, Mangalore read "Sri Sanjeeva Suvarna, President, Suratkal Gurupur Block Congress Committee residing at Kadri Toll Gate, Mangalore.

By Order and in the name of the Governor of Karnataka,

N B SAKHARDANDE,
Asst Spl Officer for L. R. & Ex-officio
Under Secretary to Government,
1970 *Revenue Department*

Corrigendum No. RD 27 LRA 74.

Bangalore dated 4/6th January 1975.

S. O.1191.—For the name "D. Chikkanna," appearing in Government Notification No. RD 27 LRA 74 dated 23rd October 1974 (Maddur Taluk) read the name "Chikkanna".

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE,
Asst. Spl Officer for L. R. & Ex-officio,
Under Secretary to Government,
1950 *Revenue Department.*

REVENUE SECRETARIAT

Corrigendum No. RD 441 ASG 73.

Bangalore, dated 3rd/5th February 1975

S. O.**1192**.—For the words "K. Hanumantha Shetty, Tahsildar, Belthangady Taluk" appearing at Sl. No. 6 of the Notification No. RD 441 ASG 73, dated 24th December 1974 please read as "K. Hanumantha Shetty, Tahsildar, Bantwal Taluk"

By Order and in the name of the Governor of Karnataka,

M. S. NAGARAJA,
Under Secretary to Government,
2087 *Revenue Department.*

Notification No. RD 7 EST 75.

Bangalore, dated 15th March 1975.

S. O.**1193**.—In exercise of the powers conferred by rule 8 of the Karnataka Stamp Rules, 1958, the Government of Karnataka hereby specifies the Headquarters sub-Registrars at Mangalore, Mysore, Belgaum, Dharwar, Gulbarga, Bellary, Shimoga and Bangalore for the purpose of the said rule.

By Order and in the name of the Governor of Karnataka,

K. JAVARE GOWDA,
Under Secretary to Government,
2427 *Revenue Department.*

HOME SECRETARIAT

Notification No. HD 16 PCR 75.

Bangalore, dated 15th April 1975.

S..O.1194 :—In exercise of the powers conferred by section 6 of the Indian Christain Marriage Act, 1872 (Central Act 15 of 1872), the Government of Karnataka hereby grants license to Mr. Lewis J. Samraj Bethesda English Assembly, 75, Mosque Road, Frazer Town, Bangalore-560005, to Solemnise Marriages under the said Act in Karnataka State.

By Order and in the name of the Governor of Karnataka,

K S L. SASTRY,
Under Secretary to Government,
106 *Home Department.*

Notification No. HD 173 TMA 74.

Bangalore, dated 23rd September 1974

S. O 1195 —In exercise of the powers conferred by the second proviso to sub-rule (1) of Rule 201 and Rule 316 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka being satisfied that the motor vehicles described in the Schedule below belonging to the Registrar, Bangalore University, Bangalore, can be used in public place without any danger to the public safety, hereby exempts the said vehicles from the provisions of sub-rule (1) of rule 201 and clause (i) of sub-rule (1) of rule 200 of the said rules for purposes of plying them within the limits of Karnataka State.

SCHEDULE

(Omnibuses) *Sl. No.*	*Chassis No.*	*Engine No.*
1	AL 7462868	ALI 40231
2	AL 7462865	ALI 40221
	Ovrelal length= 29'.10"	
	Overall width =8"	

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
1095 *Home Department.*

EDUCATION AND YOUTH SERVICES SECRETARIAT

Notification No. ED 98 UAC 73.

Bangalore, dated 26th November 1973.

S. O.1196.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University Act, 1956 the Government of Karnataka are pleased to sanction (i) continuation of affiliation of the First Grade College, Thirthahalli, to the Mysore University, for teaching the following Courses for the period noted :—

B. A.—II and III Year B. A. Degree Course with the following combinations for the year 1973-74.

Sociology, Economic, Pol. Science.
Sociology, Kannada, Pol. Science.
Kannada, Economics, Pol. Science.

B.Sc.—II and III Year B.Sc., Degree course with the following Combinations for the year 1973-74.

Physics, Mathematics, Chemistry.

and (ii) Fresh affiliation for teaching the following courses for the year 1973-74 ;—

	Group I (*Languages*)	Group II (*Optionals*)	Group III (*Additional/subjects*)
First B. A.—	English Kannada.	Kannada Sociology Economics Pol. Science. History.	Indian Freedom Movement.
First B.Sc.—	English Kannada	Physics, Chemistry Mathematics.	Astro Physics
First B.Com.—	English Kannada	Compulsory subjects as per Regulations	Taxation

Subject to the conditions laid down by the Affiliation Commission and the Mysore University.

By Order and in the name of the Governor of Karnataka,

C. RANGAIAH,
Under Secretary to Government,
Education & Youth Services Department.

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EDUCATION AND YOUTH WELFARE SECRETARIAT.

Notification No. ED 136 PML 74.

Bangalore, dated 27th January 1975.

S. O. 1197.—In exercise of the powers conferred by sub-section (2) of Section 3 of the Karnataka Public Libraries Act 1965, (Karnataka Act 10 of 1965), the Government of Karnataka hereby directs that the State Library Authority, Bangalore, shall consist of the following members:—

Ex-officio **President** :—

The Minister in charge of Education, Government of Karnataka.

Members under Section 3 (2) (b) :—

1. Shri S. Hameed Shah, M.L.A., No. 83, St. Johns Church Road, Bangalore.
2. Shri M. K. Kulkarni, M.L.A., U. B. Hill, Dharwar.
3. Shri K. F. Patil, M.L A., Hanumanahatti Post, Ranibennur Taluk.
4. Smt. Sumathi B. Madimann, M.L.A., Shivakrupa, 12, Neeligin Road, Hubli-20.

Members under Section 3 (2) (c) :—

1. Shri Mallur Ananda Rao, M.L.C., Principal, Janaseva Vidhya Kendra, Chennahalli, Kadabageri Post, Magadi Taluk, Bangalore District.
2. Shri B. S. Viswanath, M.L.C., President, Mysore State Co-operative Land Development Bank Ltd.. Albert Victor Road, Bangalore.

Members under Section 3 (2) (d) :—

1 Shri G. V. Anjanappa, Member of the Syndicate, Mysore University, Advocate, Chitradurga.

2. Shri C. S. Balakrishnagouda, Member of the Syndicate, Banglore University, Chairman. Mysore State Finance Corporation, No. 25, Cresent Road, High Grounds, Bangalore.
3. Shri D. Mariyappa, Member of the Syndicate, Karnataka University, VeerasSaiva College, Bellary.
4. Shri G. Ramegowda, M.L.A., Member of Board of Regent Agricultura University, President, Bangalore Distric Co-operative Bank, Doddaballapur, Bangalor District.

Member under Section 3(2) (e):—

Dr. A. C. Devegowda, President of the Mysore Library Association, 11th Cross, Malleswaram, Bangalore.

Member under Section 3(2) (f) :—

Shri C. Krishnappa, Local Library Authority, Member, Bangalore City Corporation.

Member under Section 3(2) (g) :—

Shri M. G. Handral, Ex. M.L.C., and M.L.A., Member of Hubli-Dharwar, Kalyananagar, Dharwar-7.

Bangalore Division—Members under Section 3(2) (h):

Shri T. M. Rudraiah, B.A.,LL.B., Advocate, Chitradurga.

Belgaum Division :—

Shri M. M. Sujjan, B.A., LL.B., Muddebihal, Bijapur.

Gulbarga Division :—

Shri Muralidhar Rao, Kamatikar, Advocate, Bidar.

Mysore Dfvision :—

Shri B. S. Kushalappa, Member of the District Library Authority, Coorg.

Member under Section 3(2) (i) :—

Secretary to Government, Education and Youth Services Department.

Member under Section 3(2) (j) :—

The Director of Public Instruction in Karnataka, Bangalore.

Members under Section 3(2) (k) :—

1. Shri N. R. Murthy,
   29, Chikbazar Road, Shivajinagar, Bangalore-1
2. Shri G. Eariah, Superintendent, Bangalore University Library, Banagalore.
3. Miss. C. Sharada, B.A. B.L.,
   Advocate, 17 Venkatappa Road, Tasker Town, Bangalore.

Ex-officio, **Secretary under Section 3(3) :—**

The State Librarian.

By Order and in the name of the Governor of Karnataka,

B. S. SRIKANTIAH,
Commissioner for Education and
Secretary to Government,
2099 *Education and Youth Services Department.*

REVENUE SECRETARIAT

Notification No. RD 80 IMA 73

Bangalore, dated 11th February 1975.

S.O.1198.—In exercise of the powers conferred by sub-section (4) of Section 1 of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 (Mysore Act 1 of 1955) the Government of Karnataka hereby appoint the 1st day of March 1975 as the date on which the provisions of the said Act, except Sections 1, 2, 27, 38 and 40 which have already come into force, shall come into force in respect of the Inam village specified in the schedule below.

SCHEDULE

District	*Taluk*	*Hobli*	*Village*
Bangalore	Anekal	Sarjapur	Banahalli.

By Order and in the name of the Governor of Karnataka,

K. JAVARE GÔWDA,
Under Secretary to Government,
Revenue Department.

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REVENUE SECRETARIAT

Notification No. RD 71 MET 19

Bangalore, dated 29th April 1975.

S. O. 1199.—In exercise of the powers conferred by Section 3 of the Bombay Public Trusts Act, 1950 (Bombay Act XXIX of 1950) as in force in Bombay area the Government of Karnataka hereby appoints Sri. T.H.M. Shivakumaraiah, District Judge, Raichur, as Charity Commissioner, Belgaum, until further orders.

The services of Sri M. K. Angadi, District Judge, O. D. as Charity Commissioner, Belgaum, are replaced at the disposal of the High Court of Karnataka, from the date he is relieved by Sri. T. H. M. Shivakumaraiah.

By Order and in the name of the Governor of Karnataka,

MUDDUMALLAIAH,

I/c, Under Secretary to Government,
Revenue Department.

REVENUE SECRETARIAT

Notification No. RD 41 SGO 75.

Bangalore, dated 7th May 1975.

S. O. 1200.—In exercise of the powers conferred by sub-section (1) of Section 18 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964), the Government of Karnataka hereby appoint Shri S. S. Kadkol, Sub Assistant Superintendent in independent charge as Enquiry Officer, City Survey, Hukkeri Town.

By Order and in the name of the Governor of Karnataka,

K. JAVARE GOWDA,
Under Secretary to Government,
185 *Revenue Department.*

RURAL DEVELOPMENT AND CO-OPERATION SECRETARIAT

Notification No. RDC 100 CLS 75

Bangalore, dated the 19th April 1975.

S. O. 1201.—In exercise of the powers conferred by sub-section (1) of Section 39 of the Karnataka Co operative Societies Act, 1959 (Karnataka Act 11 of 1959), the Government of Karnataka, hereby nominate the following persons on the Board of Directors of the Primary Land Development Bank, Harapanahalli with immediate effect and until further orders.

1. Sri C. G. M. Channaveeraswamy, Advocate Harapanahalli.
2. Warden, Harijan Boys Hostel, Harapanahalli.
3. Tahsildar, Harapanahalli.

By Order and in the name of the Governor of Karnataka,

S. V. TORKE,
Under Secretary to Government,
115 *Rural Devt. and Co-opn Department.*

RURAL DEVELOPMENT AND CO-OPERATION SECRETARIAT

Notification No. RDC 221 CLS 74.

Bangalore, dated 24th December 1974/1st January 1975

S. O. **1202**.—In exercise of the powers conferred by Clause (n) of Section 76A of the K.C.S. Act, 1959 (Karnataka Act 11 of 1959) the Government of Karnataka hereby declare the following as productive purpose for advancing loans by the Karnataka State Co-operative Land Development Bank Ltd, Bangalore.

"Gobar Gas Plant installation"

By Order and in the name of the Governor of Karnataka,

S. V. TORKE,
Under Secretary to Government,
1822 *Rural Development and Coo-pn. Dept.*

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 52 PTD 75

Bangalore, dated 28th April/6th May 1975.

S. O. **1203**.—In exercise of the powers conferred by section 33-G of the Drugs and Cosmetics Act, 1940 (Central Act XXIII of 1940), the Government of Karnataka hereby appoints Sri K. S. Rangachari, Drugs Inspector (Head-Quarters) to be an Inspector for the whole of the State of Karnataka.

By Order and in the name of the Governor of Karnataka,

C. P. MUNIYAPPA,
Under Secretary to Government,
180 *Health and Municipal Admn. Department.*

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 298 PTD 74.

Bangalore, dated 2nd April 1975.

S.O. 1204.—In exercise of the powers conferred by sub-section (1) of Section 20 of the Drugs and Cosmetics Act, 1940 (Central Act 23 of 1940) and in supersession of Notification No. PHS 239 PTD 67, dated 30th August 1967/1st September 1967, the Government of Karnataka hereby appoint the following officers of the Drugs Testing Laboratory, Bangalore of the Drugs Control Department to be Government Analysts for the whole of the State of Karnataka in respect of all Cosmetics and Drugs except vaccines and Sera :—

(1) Sri George Phillip, Senior Chemist;

(2) Sri M. A. Mathew, Bio-chemist and

(3) Sri R. Anandarajashekar, Pharmacologist.

By Order and in the name of the Governor of Karnataka,

C. P. MUNIYAPPA,

Under Secretary to Government.

15 *Health and Municipal Administration Department.*

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification, No. HMA 291 PTD 74.

Bangalore, dated 2nd April 1975.

S.O.1205 —In exercise of the powers conferred by Section 20 of the Drugs and Cosmetics Act, 1940 (Central Act 23 of 1940) and in supersession of Notification No. HMA 213 PTD 68, dated 4th November 1974, the Government of Karnataka hereby appoints, with the previous consent of the Government of India, the following officers of the Central Research Institute, Kasauli to be the Government Analysts for the State of Karnataka in respect of the Drugs or Classes of Drugs specified in rule 3-A of the Drugs and Cosmetics rules, 1945 namely:-

(1) The Director, Central Research Institute, Kasauli.

(2) Dr. A. N. Rai Choudhary, Deputy Director, Central Research Institute, Kasauli.

(3) Dr. G. Sahai, Deputy Director, Central Research Institute, Kasauli.

By Order and in the name of the Governor of Karnataka,

C. P. MUNIYAPPA,

Under Secretary to Government,

11 *Health and Municipal Administration Department.*

RURAL DEVELOPMENT AND CO-OPERATION SECRETARIAT

Notification No. RDC 17 CPS 75

Bangalore, dated 30th April 1975.

S. O. 1206.—In exercise of the powers conferred by sub-section (1) of Section 29 of K. C. S Act 1959 (Karnataka Act 1 of 1959) and in pursuance of bye-law No. 22 (1) (a) of the Bangalore City Co-operative Society Ltd., Bangalore, the Government of Karnataka hereby nominate the following persons on the Board of Management of the Bangalore City Cooperative Society Ltd., Bangalore until futher orders.

(1) Deputy Registrar of Co-operative Societies Bangalore District, Bangalore..

(2) Deputy Registrar of Co-operative Societies (Consumers) attached to the Registrar of Co-operative Societies in Karnataka, Bangalore.

(3) General Manager of the Bangalore City Co-operative Society Ltd., Bangalore.

By Order and in the name of the Governor of Karnataka.

A. BRITTO,

Under Secretary to Government,
Rural Development and Co-opn., Department.

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RURAL DEVELOPMENT AND CO-OPERATION SECRETARIAT

Notification No. DPC 44 BTX 74

Bangalore dated 6th January 1975

S. O. 1207.—WHEREAS the Taluk Development Board, Davangere, has passed a resolution at its meeting held on 30th July 1973 to increase the rate of Local cess on Land Revenue from twelve paise to twenty five paise in a rupee to augment the finances of the Board as required under sub-section (2) of section 163 of the Karnataka Village Panchayats and Local Boards Act, 1959 (hereinafter referred to as the said Act) and has published the same as required by sub-section (4) of the said section in Notice No. TDBI CR 186/73-74 dated 28th January 1974 in Part III-3 of the *Karnataka Gazette* dated 30th May 1974 inviting objections and suggestions from all the persons likely to be affected thereby, within one month from the date of publication of the said notice ;

AND WHEREAS the said Gazette was made available to the public on 30th May 1974.

AND WHEREAS no objections or suggestions have been received on the said notice ;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (6) of section 163 of the said Act, the Government of Karnataka hereby determines the increase in the rate of Local cess at twenty five paise in a rupee on all items of land revenue, with effect from 1st July 1975.

By Order and in the name of the Governor of Karnataka,

N. MUDDARAJ URS

Under Secretary to Government
Rural Dev. & Co-opn Department.

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SOCIAL WELFARE AND LABOUR SECRETARIAT

Notification No. SWL 96 LSI 75 (1)

Bangalore, dated 13th May, 1975.

S. O. 1208.—In exercise of the powers conferred by Section 87 of the employees State Insurance Act, 1948 (Central Act 34 of 1948), the Government of Karnataka hereby exempts the Bharat Gold Mines Private Ltd., Central Workshop, Ooragaum post, K.G.F-2 for a period of one year from 22nd April 1975 upto and inclusive of 21st April 1976 from the operations of the said Act subject to the conditions that:—

1. the aforesaid factory shall maintain a register showing the names and designation of the employees in the factory;

2. notwithstanding this exemption, the employees of the factory shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of contributions paid prior to the date from which the exemption granted by this notification operates;

3. the contributions paid by the employees during the period prior to the date from which the exemption granted by this Notification operates shall not be refundable.

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secretary to Government,
Social Welfare and Labour Department.

Social Welfare and Labour Secretariat

Notification, No. SWL 96 LSI 75. (3)

Bangalore, dated 13th May, 1975.

S. O. 1209.—In exercise of the powers conferred by Section 87 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948) the Government of Karnataka hereby exempts the Bharat Gold Mines Private, Ltd. (Ooregaum Printing Press), Ooregaum Post, K.G.F.-2, for a period of one year from 15th April 1975 upto and inclusive of 14th April 1976 from the operation of the said Act, subject to the conditions that :—

(1) the aforesaid factory shall maintain a register showing the name and designation of the employees in the factory.

(2) notwithstanding the exenmption, the employees of the factory shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of contributions paid prior to the date from which the exemption granted by this notification operates;

(3) the contributions paid by the employees during the period prior to the date from which the exemption franted by this Notification operates shall not be refundable.

By Order and in the name of the Governor of Karnataka,

K. Mylarappa,

Under Secretary to Government,
Social Welfare and Labour Department.

AGRICULTURE AND ANIMAL HUSBANDRY SECRETARIAT

Notification No. A & AH 81 VAD 75

Bangalore, dated 1st 3rd April 1975.

S. O. 1210.—In exercise of powers conferred by Section 12, Part IV of Mysore Veterinary Practitioners Act, 1963, Government of Karnataka hereby appoint Dr. M. Narayanaswamy, Joint Director, Institute of Animal Health and Veterinary Biolgicals, Hebbal, Bangalore-560024 as Registration Officer for the preparation of 1st Register of the Veterinary Practioners in the State.

Pursuant to the above Notification, all the Veterinary Practitioners are hereby called upon to register their names with the above officer. The last date fixed for Registration is 30th April 1975.

Requests received after this date will be liable for rejection.

By Order and in the name of the Governor of Karnataka;

P. SURENDRA SINGH,

Under Secretary to Government,

29 *Agriculture and Animal Husbandry Department.*

Notification No. AAH 78 AGC 75.

Bangalore, dated 15th May 1975.

S. O. 1211.—Under Article 6.(a) (iii) of the Articles of Association of the Karnataka Agro Industries Corporation Ltd., Bangalore the Governor of Karnataka is pleased to appoint Sri E. S. Parthasarathy, Deputy Secretary, (C. M.) Ministry of Food and Agriculture, Government of India as one of the Directors of the Karnataka Agro-Industries Corporation Ltd., Bangalore in place of Sri M. L. Widhani, resigned.

By Order and in the name of the Governor of Karnataka,

M. HONGAYYA,

216 *Under Secretary to Government,*

Agriculture and Animal Husbandry Department.

SOCIAL WELFARE AND LABOUR SECRETARIAT

ORDER No. SWL 314/(2) LLD 75.

Bangalore, dated 15th May 1975.

S. O. 1212.—WHEREAS the Government of Karnataka are of opinion that an Industrial Dispute exists between the workmen and the management of Mysore Wire and Metal Industries, Magadi Road, Bangalore-23, on the points noted below ;

NOW, THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, (Central Act No. XIV of 1947), the Government of Karnataka hereby refer the said dispute for adjudication to the Industrial Tribunal at Bangalore.

Points of Dispute

"1. Are the workmen of Mysore Wire and Metal Industries, Bangalore, represented by the Engineering Employees Association, justified in demanding the following :—

(a) All employees should be given one month's privilege leave with full wages for every eleven months service.

(b) All employees should be given two weeks Sick leave with full wages in addition to E. S. I. leave for every year of service.

2. If not, to what relief the workmen are entitled ?"

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secretary to Government,
Social Welfare and Labour Department.

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REVENUE SECRETARIAT

Notification No. RD 17 LGP 75

Bangalore, dated 18th February 1975

S. O. 1213.—In exercise of the powers conferred by sub-rules (1), (2) and (3) of Rule 24 of the Karnataka Land Grant Rules, 1969, the Government of Karnataka hereby makes the following change in the Notification No. S.O. (41) (RD 21 LGP 74) dated 4th March 1974, in respect of Channarayapatna Taluk, Hassan District, published in Part-IV-2c (ii) of the *Karnataka Gazette* dated 8th August, 1974. namely :—

In the Annexure to the said Notification, following change is made in respect of Sl. No. 9 :—

As per notification	*Changes made*
9. Sri Balagopal, Advocate, Channarayapatna	Sri B. K. Kempegowda, Bekka village, Sravanabelagola Hobli, Channarayapatna Taluk.

By Order and in the name of the Governor of Karnataka,

H. MARIGOWDA,

Under Secretary to Government,
Revenue Department.

2211

REVENUE SECRETARIAT

Notification No. RD 523 ASG 72

Bangalore, dated 17/26th December 1974.

S.O.1214.—Whereas the Government of Karnataka considers that for the purpose of detection of wrongful possession and unauthorised occupation of land and eviction of persons in such wrongful possession or unauthorised occupation in Koppa Taluk, Chickmagalur District it is expedient to appoint a Special Tahsildar for the said Taluk;

Now, therefore, in exercise of the powers conferred by Section 12 of the Karnataka Land Revenue Act, 1964 (Karnataka Act No. 12 of 1964) and in supersession of the orders issued in Notification No. RD 523 ASG 72 dated 11th October 1974, the Governmet of Karnataka hereby appoints Sri R.K. Kulkarni as Special Tahsildar for Koppa Taluk, Chickmagalur District for the purpose of detection:-

1. wrongful possession of land, and
2. unauthorised occupation of the land referred to in Section 94:

and also for eviction of persons in such wrongful possession or unauthorised occupation in the said Taluk from 1st November 1974 to 31st December 1974 and directs that he shall exercise the powers and discharge the duties as are exercised or performed by the Tahsildar in the said Taluk under Sections 38,39,87 and 94 of the said Act.

By Order and in the name of the Governor of Karnataka,

G.V. DESAI,

Under Secretary to Government,
Revenue Department.

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REVENUE SECRETARIAT

Notification No. RD 27 LRA 74.

Bangalore dated 17th February 1975.

S. O. 1215.—In partial modification of Government Notification No. RD. 27 LRA 74, dated 6th July 1974, Shri S. Shivappa, MLC is appointed as a member of the Tribunal of Channarayapatna Taluk in place of Shri H. C. Srikantaiah who has expressed his inability to continue as a Member of the said Tribunal he having been appointed as the Minister of State for Power,

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE,
Asst. Spl. Officer for L. R. and Ex-officio
Under Secretary to Government,
2210 *Revenue Department.*

Notification No. RD 27 LRA 74

Bangalore, dated the 18th February 1975.

S.O.1216.— Shri G. Srinivasaiah is appointed as a member of the Tribunal constituted for Srirangapatna Taluk in Notification No. RD 27 LRA 74 dated the 8th July 1974 in place of Shri M.K. Siddaiah, since deceased.

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE,
Asst. Spl. Officer for L. R. and Ex-Officio
2212 *Under Secy. to Government, Rev. Dept.*

REVENUE SECRETARIAT

Notification No. RD 46 MGI 74.

Bangalore, dated October 4th/November 1974.

S. O. 1217.—In exercise of the powers conferred by Section 12-A of the Charitable Endowments Act, 1890 (Central Act 6 of 1890) as in force in the State of Karnataka, the Government of Karnataka, hereby directs that the powers exercisable by it under Sections 4 and 5 of the said Act and the rules made thereunder, in respect of endowments the value of which does not exceed rupees ten thousand, be exercisable also by the Commissioner for Endowments in Karnataka, subject to the condition that the said powers shall be exercised by him in respect of endowments relating to his department only.

By Order and in the name of the Governor of Karnataka,

S. T. VENKATARAMA RAO,
Under Secretary to Government,
1393 *Revenue Department.*

Notification No. RD 142 LGP 74.

Bangalore, dated 7th December 1974.

S. O. 1218.—In the Annexure to the Notification No. RD 21 LGP 74 dated 4th March, 1974, relating to constitution of Consultative Committee for Chickmagalur Taluk, Chickmagalur District, published as S O. (43) in Part IV-2C(ii) of the *Karnataka Gazettee* dated 8th August 1974, the name and address, namely, "Sri M. L. Vasudevamurthy, M.L.C., Coffee Planter, Chickmagalur" appearing against Sl. No. 9 shall be deleted with immediate effect.

By Order and in the name of the Governor of Karnataka,

H. MARIGOWDA,
Under Secretary to Government,
1648 *Revenue Department.*

REVENUE SECRETARIAT

Notification No. RD 27 LRA 74.

Bangalore dated 27/30th December 1974.

S. O. 1219.—Shri Maheswarappa, Agriculturist, Kumbalur, Harihar Taluk, is appointed as a member of the Tribunal constituted for Harihar Taluk, Chitradurga District, in Government Notification No. RD 27 LRA 74, dated 12th December, 1974.

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE,
Asst. Spl. Officer for L. R. & Ex-officio
Under Secretary to Government,
1825 *Revenue Department.*

Notification No. RD 27 LRA 74.

Bangalore, dated 31st December 1974.

S. O. 1220.—In partial modification of Government Notification No. RD 27 LRA 74, dated 28th June 1974, Shri M. Sanjeeva Survana, President, Surathkal Gurupur Block Congress Committee residing at Kadri Toll Gate, Mangalore is appointed as a member of the tribunal of Mangalore Taluk in place of Shri B. Subbayya Shetty, who has expressed his inability to continue as a Member of the said Tribunal he having been appointed as the Minister of State for Land Reforms.

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE,
Asst. Spl. Officer for L. R. & Ex-officio
Under Secretary to Government,
1814 *Revenue Department.*

REVENUE SECRETARIAT

Notification No. RD 112 GHR 74-II.

Bangalore dated 21st December 1974.

S. O. 1221.—In exercise of the powers conferred by clause (c) of Section 3 of the Karnataka Rent Control Act, 1961 (Karnataka Act 22 of 1961),the Government of Karnataka hereby appoint the Assistant Commissioner, Mangalore Sub-Division, Mangalore, to perform the functions of the Controller under the said Act in respect of Surathkal Town in South Kanara District.

By Order and in the name of the Governor of Karnataka,

J. T. BORKER,

Under Secretary to Government,

1778 *Revenue Department.*

Corrigendum No. RD 27 LRA 74

Bangalore, dated 25th November 1974

S. O.1222—.In Notification No. RD 27 LRA 74 dated the 23rd October 1974 for the name Sri: S.A. Belagali, Siddapur read the name Shri S A. Siddapur, Belgali.

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE

Asst. Spl. Officer for L.R. & Ex-Officio

1661 *Under Secy. to Govt. Rev. Dept.*

Corrigendum No. RD 27 LRA 74

Bangalore, dated 12/16th December 1974

S. O.1223—.For the words "Tahsildar, Ankola Taluk" appearing at item (6) of the Annexure to the Government Notification No. RD 27 LRA 74 (Haliyal Taluk) dated 8th July 1974 substitute the words "Tahsildar, Haliyal Taluk"

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE,

Asst. Spl. Officer for L.R. & Ex-Officio

1696 *Under Secy. to Govt. Rev. Dept.*

REVENUE SECRETARIAT

Corrigendum No. RD 50 LRM 74

Bangalore, dated 5/8th October 1974

S.O. 1224—In the schedule to the Government Notification No. RD 50 LRM 74 dated 13th June 1974, for the figures and words "5 acres 18 guntas" substitute the figures and words "9 acres 32 guntas".

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE,
Asst. Spl. Officer for L.R. & Ex-Officio
1176 *Under Secy. to Govt. Rev. Dept.*

Notification No RD 27 LGP 75

Bangalore, dated 1st March 1975.

S. O. 1225.—In exercise of the powers conferred by sub-rules (1) and (2) of Rule 24 of the Karnataka Land Grant Rules, 1969, the Government of Karnataka makes the following amendments to the Notification No. S.O. 169 [RD 21 LGP 74], dated 25th February 1974 in respect of Gangavathi Taluk, Raichur District, published in Part IV-2(c) (ii) of the *Karnataka Gazette* dated August 8, 1974, namely :—

In the Annexure to the said notification,—

(a) after entry 5, the following entry shall be added as entry 5-A. namely :—
"5-A. H.G. Ramulu, M.L.A" ;

(b) for the name and address appearing against entry No. 9 "Sri K. Viswanathaswamy, M. L. C., Advocate Gangawathi", the following name shall be substituted. namely :—
"Sri Navali Vedavyasa Rao".

By Order and in the name of the Governor of Karnataka,

V. GOVINDA RAJ,
Under Secretary to Government,
2291 *Revenue Department.*

REVENUE SECRETARIAT

Notification No. RD 54 ASG 75.

Bangalore, dated 21st February 1975.

S. O.1226.—In exercise of the powers conferred under Section 12 (1) of the Karnataka Land Revenue Act, 1964 (Karnataka Act No. 12 of 1964) a post of Special Tahsildar for purpose of training of K.A.S. Class I (Junior Scale) Probationer is sanctioned consisting of Revenue Circles of Tikota and Bableshwar of Bijapur Taluk, Bijapur District for a period of 8 weeks from 12th June 1975 to 16th August 1975.

2. Shri T. Thimme Gowda, K.A.S. Class I (Junior Scale) Probationer is posted as Special Tahsildar in the above post for the above said period.

3. He shall exercise all the powers and perform al the duties as are exercised and performed by the Tahsildar in a Taluk under Section 12 (2) of the Karnataka Land Revenue Act, 1964 (Karnataka Act No. 12 of 1964). The Special Tahsildar shall be subordinate to the Tahsildar in the taluk except in such matters as the State Government may by order specify in this behalf.

4. The regular Tahsildar will continue to be incharge of the Elections and Census work and there is no territorial change in the Taluk.

By Order and in the name of the Governor of Karnataka,

M. S. NAGARAJA,
Under Secretary to Government,
Revenue Department.

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REVENUE SECRETARIAT

CORRIGENDUM No. RD 186 LGP 74

Bangalore, dated 20th December 1974.

S. O 1227 —In the Annexure to the Notification No. RD 21 LGP 74 dated 25th February, 1974 published as S.O. (14) in part IV 2C (ii) of the *Karnataka Gazette* dated 8th August 1974, constituting Consultative Committee for Ankola Taluk, North Kanara District for the name of the village "Belkeri" appearing against Sl. No. 8, substitute the name of the village "Bhavikere"

By Order and in the name of the Governor of Karnataka,

H. MARIGOWDA,
Under Secretary to Government,
1774 *Revenue Department.*

REVENUE SECRETARIAT

Notification No. RD 58 TRM 74.

Bangalore, dated 30th October/4th November 1974.

S. O. 1229.—WHEREAS there is failure of crops in the villages specified in column (2) of the Schedule below, owing to inadequate rainfall and the average crop-wise yield per acre is less than fifty per cent in the said villages; therefore fifty per cent of the demand of Land Revenue for 1968-69 was suspended, and the same could not be recovered during subsequent years, as the crop-wise yield was less than 62%.

AND WHEREAS the Government of Karnataka considered it necessary to remit whole of the suspended land revenue payable for the year 1968-69 in respect of lands in the said villages.

NOW, THEREFORE, in exercise of the powers conferred by item (ii) of sub-section (1) of Section 194 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964), the Government of Karnataka hereby remits the whole of the suspended land revenue to the tune of Rs. 75,930-22 payable for the year 1968-69 in respect of the lands in the villages specified in column (2) of the Schedule below situated in Nargund Taluk of Dharwar District.

SCHEDULE

Sl. No.	Village	Amount	Sl. No.	Villages	Amount
1	Arban	1221-24	19	Khanapur	1054-26
2	Hadli	6925-40	20	Madgunki	1961-34
3	Dandapur	3548-98	21	Raddernaganur	2054-58
4	Curlakatti	1271-89	22	Gangapur	510-38
5	Hunashikatti	2278-36	23	Kurugouinkopa	756-93
6	Jagapur	2489-30	24	Budihal	423-86
7	Kalakeri	2086-04	25	Kapali	1240-33
8	Kanakikoppa	2247-91	26	Konnur	8422-66
9	Chikkanargund	2399-09	27	Kurlagori	1152-86
10	Kasba (Naragund)	2409-60	28	Lakamapur	164-11
11	Peth	2025-04	29	Shirol	1814-89
12	Sankadal	2002-66	30	Wasan	1595-66
13	Siddapur	776-12	31	Belleri	839-67
14	Somapur	5500-90	32	Kallapur	1831-24
15	Arashingudi	1224-43	33	Surkod	3777-68
16	Bhairanhatti	1198-19	34	Barhatti	1550-00
17	Benakankoppa	1436-97	35	Muganur	1502-40
18	Hisekopa	4235-25			
				Grand Total	75,930-22

By Order and in the name of the Governor of Karnataka,

G. VEERUPAKSHAYYA,

Under Secretary to Government,

Revenue Department.

1410

FINANCE SECRETARIAT

Notification No. RD 65 TRM 1974.

Bangalore, dated 30th November 1974.

S. O. 1230 — Whereas there is failure of crops in the villages specified in column (2) of the schedule below, owing to inadequate rainfall and the average crop-wise yield per acre is less than 37% in 23 villages and less than 50% in 12 villages at Nargund Taluk therefore 100 % of Land Revenue was suspended in 23 villages, and 50 % in 12 Villages.

And whereas the Government of Karnataka considered it necessary to remit the whole of the suspended land revenue payable for the year 1969-70 in respect of lands in the said villages at Nargund Taluk.

Now, therefore, in exercise of the powers conferred by item (ii) of sub section (1) of Section 194 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) read with Rule 147 D (2) of the Karnataka Land Revenue Rules, the Government of Karnataka, hereby remits the whole of the suspended land revenue of Rs. 1,27,389-87 payable for the year 1969-70 in respect of the lands in the villages specified in column (2) of the Schedule below situated in Nargund Taluk of Belgaum District.

SCHEDULE

Sl No.	Village		Amount at LR
1	2		3
1	Banahatti	...	1550-00
2	Muganur	...	1502 40
3	Budihal	..	423-96
4	Kappali	...	1240-33
5	Konnur	...	8422-86
6	Kurlageri	...	1152-66
7	Lakamapur	...	164 11
8	Shirol	...	1814-89
9	Wasan	...	1595-66
10	Belleri	...	839-67
11	Kallapur	...	1831-24
12	Surkod	...	3789-05
13	Arband	...	2442-27
14	Dandapur	...	7183-16
15	Gurlakatti	...	2543-78
16	Hunashikatti	...	4559-27
17	Jagapur	...	4980-02
18	Kalakeri	...	4473-02
19	Kanokikopa	...	4496-96
20	Kasba	...	4821-64
21	Petto	...	4 51-61
22	Sunkadal	...	3999-38
23	Siddapur	...	1552-24
24	Somapur	...	11001-81
25	Arashingodi	...	2446-09
26	Bhairanhatti	...	2396-39
27	Benakankopa	...	2875-80
28	Hirekoppa	...	8472-25
29	Khanapur	...	21 9-08
30	Mudagunki	...	3921-56
31	Gangapur	...	1021-00
32	Kurugovinkopa	...	1514-11
33	Reddarnagnur	...	4110-19
34	Chikkanargund	...	4539-72
35	Hadli	...	13850-72
	Grand Total		1,27389-87

By Order and in the name of the Governor of Karnataka,

G. VEERUPAKSHAYYA,

Under Secretary to Government,

Revenue Department.

1595

REVENUE SECRETARIAT

Notification No. RD 50 TRM 74,

Bangalore, dated 22nd October/4th November 1974.

S. O. 1231.—WHEREAS there is failure of crops in the villages specified in colum (2) of the schedule below, owing to inadequate rainfall and the average crop-wise yield per acre is less than fifty per cent in the said villages during 1967-68. Therefore the Land Revenue of these villages was suspended, and same could not be collected during future years. Thus the Land Revenue of future three years was suspended due to adverse seasonal conditions.

AND WHEREAS the Government of Karnataka considered it necessary to remit the whole of the suspended land revenue payable for the year 1967-68 in respect of lands in the said villages ;

NOW, THEREFORE, in exercise of the powers conferred by item (ii) of sub section (1) of Section 194 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964), read with Rule 147-D (1) (2) of the K. L. R. Rules, the Government of Karnataka, hereby remits the whole of the suspended land revenue amounting to Rs. 72, 120-18 payable for the year 1967-68 in respect of the lands in the villages specified in columu (2) of the Schedule below situated in Shirahatti Taluk of Dharwar District.

SCHEDULE

Sl. No.	Village		Amount
1	Kanakawad	...	1998-38
2	Kondikoppa	...	194-82
3	Balehosur	...	3495-98
4	Tangod	...	1293-98
5	Koganur	...	821-77
6	Ankali	...	944-34
7	Nagarmadavu	..	1338-77
8	Tellapur	..	912-40
9	Tegginabhavanur	...	1061-12
10	Nave-bhavanur		332-80
11	Futagaon Badni	...	3676-64
12	Sogiwal	...	2182-36
13	Adarahalli	...	612-74
14	Majjur	...	646-84
15	Kusalapur	...	325-22
16	Kerihalli	...	873-70
17	Bhavanur	...	1203-43
18	Hadagali	...	1295-18
19	Sankadal	...	1065-38
20	Hremallapur	...	1182-84
21	Govanakop	...	908-50
22	Narayanapur	...	1257-31
23	Itagi	...	5523-16
24	Tolali	...	1232-03
25	Belagatti	...	1623-98
26	Sasarwad	...	2739-82
27	Basapur	...	1224-14
28	Madhalli	...	5776-44
29	Yatnalli	...	4884-75
30	Suranagi	...	4123-95
31	Sugnalli	...	1833-87
32	Haradagatti	...	1195-71
33	Chebbi	...	1856-89
34	Amarapur	...	983-37
35	Hullur	...	2210-45
36	Govanal	...	2748-47
37	Kundralli	...	1050-11
38	Gulaganjikoppa	...	1558-29
39	Shettigeri	...	895-34
40	Adarakatti	...	3035-34
		Total : Rs.	72120-18

By Order and in the name of the Governor of Karnataka,

G. VEERUPAKSHYYA,
Under Secretary to Government,
Revenue Department.

1411

FINANCE SECRETARIAT

Notification No. RD 334 LRM 74,

Bangalore, dated 5th March 1975.

S. O. 1232.—In exercise of the powers conferred by Clause (32A) of sub-section (A) of Section 2 of the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), the Government of Karnataka hereby empowers to Special Tahsildars in charge of the taluks enumerated in the Annexure to this Notification to exercise all the powers of the Tahsildar except those under Sections 30 (2) and 37 read with rule 9 of the said Act.

ANNEXURE.

Sl. No.	Name of the Taluk	District
	Special Tahsildars	
1	Channagiri	Shimoga District
2	Honnali	
3	Hosanagar	
4	Shikaripur	
5	Ankola	North Kanara District
6	Kumta	
7	Bhatkal	
8	Honnavar	
9	Karwar	
10	Haliyal	
11	Sirsi	
12	Siddapur	
13	Coondapur	South Kanara District
14	Udipi	
15	Karkal	
16	Mangalore	
17	Buntwal	
18	Puttur	

By Order and in the name of the Governor of Karnataka,

N. B SAKHARDANDE,

Asst. Spl. Officer for L. R. and Ex-officio

2308 *Under Secy., to Government, Revenue Dept.*

REVENUE SECRETARIAT

Corrigendum No. RD 27 LRA 74,

Bangalore, dated 20/24th December 1974.

S. O. 1233.—For the names "G. D. Hosur" and "D. Devaraya Naik" appearing in Government Notification No. RD 27 LRA 74 dated 8th July 1974 (Siddapur Taluk) substitute the names "D. G. Hosur" and "G. Devaraya Naik." respectively at two places.

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE

Asst. Spl. Officer for L. R. and Ex-Officio
Under Secretary to Government,
Revenue ***Department.***

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LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 240 LAC 74.

Bangalore, dated 7th–10th December 1974

S. O. 1234.—In exercise of the powers conferred by Section 8 of the Karnataka Civil Courts Act, 1964, (Karnataka Act 21 of 1964), Government of Karnataka, in consultation with the High Court of Karnataka, fixes the number of Munsiffs to be appointed to the Court of the Munsiff, Aland to be two, for the period from 15th October 1974 to 14th November 1974 (both days inclusive).

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government,
1650 *Deptt. of Law and Parly. Affairs.*

Notification, No. LAW 35 LCL 73.

Bangalore, dated 3rd August 1974

S. O. 1235.—In exercise of the powers conferred by sub-section (1) of section 57 of the Provincial Insolvency Act, 1920 (Central Act 5 of 1920) as extended by the Provincial Insolvency (Karnataka Extension and Amendment) Act, 1962, the Government of Karnataka hereby appoint Sri B. N. Subba Reddy, as Official Receiver, Kolar, for a further period of two years with immediate effect.

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government,
822 *Department of Law and Parliamentary Affairs.*

HOME SECRETARIAT

Notification, No. HD 185 TMA 74.

Bangalore, dated 4th October, 1974.

S. O. 1236.—In exercise of the powers conferred by Rules 316 and 341 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka hereby exempts the tractor-trailer belonging to Larsen and Toubro Limited, Bangalore, described in the schedule below from the provisions of the Rules 200, 201, 202 and Rule 319 (ii) of the said rules for transportation of proclain Hydraulic Excavator on a tractor-trailer from Bangalore to the Karnataka State border in Kolar District *via.* Chikkaballapur, Bagepalli route on a National Highway No. 7, subject to the following conditions :—

1. Permission is valid for the portion of the route from Bangalore on a National Highway No. 7 to Karnataka State border in Kolar District *via.* Chikkaballapur, Bagepalli.

2. The maximum G.L.W. and Axle weight should not exceed 33500 Kgs. and 8000 Kgs. respectively.

3. Tractor-trailer should be conveyed on the route indicated above and should not carry any load other than proclain Hydraulic Excavator.

4. The vehicle will have to be run by M/s. Larsen and Toubro Limited, Bangalore, at their own risk and they shall be responsible for any damages that may occur to the road and the road structure either directly or indirectly due to the movement of the vehicle and they shall be liable for all damages as assessed by the Public Works Department.

5. The State Government shall not be responsible for any damages that may be sustained either by the vehicle or its contents or its occupants consequent on the movement.

6. The vehicle shall move without any hindrence to normal flow of traffic and pedestrians.

7. The speed of the vehicle shall not exceed 35 Km. P.H. on road structure.

8. The movement of the vehicle should be completed as early as possible. The permission is valid only for a period of 3 months from the date of issue of the notification and only for the route indicated above.

9. The vehicle should be driven between 6 A.M. to 6 P.M.

(a) Sufficient care should be taken to drive the tractor-trailer while crossing sagging Electric Wires or Telephone wires.

10. All necessary warning signals such as Red flags etc., shall be prescribed to indicate the extremity of the vehicle both lengthwise and breadthwise.

11. The strengthening of week culverts and bridges if any required for passing the vehicle shall be done at cost of the party. In the case of culverts with burnt stone slab coverings and other week culverts, suitable strengthening with supports should be provided as directed by the P.W.D., by the Larsen and Toubro at their own cost or a bed level diversion with hard passage should be provided at these crossing at the cost of the firm.

12. The Executive Engineer of the concerned National Highways Division, Public Works Department, Bangalore, shall be informed in advance, the date of the movement of the vehicle.

13. If there are culverts under construction on the route indicated above, the vehicle should come to a stop at the approaches of all culverts and bridges and then proceed at a speed not exceeding 16 Km. P.H. The vehicle must also be brought to a stop when there are vehicles from the rear and front while crossing bridges and culverts.

14. The grant of this exemption to the vehicle does not prevent the local P.W.D. officers from regulating and stopping the movement of the vehicle depending upon the exigencies of the situation and having regard to the condition of the roads and cross drainage works.

15. The Larsen and Toubro should pay the Motor Vehicles tak in advance due to this State as per the higher laden weight permitted. The grant of this exemption is valid only when the Motor Vehicles Tax is paid in advance.

SCHEDULE

Tractor-trailer M. R. S. 7263.

Tractor :—Front axle	...	5216 Kgs.
Rear axle (front)	...	7069 Kgs.
Rear axle (Rear)	...	7069 Kgs.
Trailer :—Front-Rear axle.	...	7069 Kgs.
Rear-Rear-axle	...	7069 Kgs.
Over all length of the tractor-trailer	...	52 feet.
Over all width of the Machine to be transported in the vehicle		9′ 2″
Over all height of the Machine to be transported in the tracto -trailer,		12′ 9″
Unladen weight of tractor-trailer	...	17990 Kgs.
Weight of Poclain Hydraulic Excavator to be transported.		15500 Kgs.
Total laden weight	...	33500 Kgs.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
Home Department.

1154

Notification, No. HD 89 SST 74

Bangalore, dated 29th April 1975.

S.O. 1237.—WHEREAS the Government of Karnataka is satisfied that in respect of the places specified in column 2 of the Schedule below, which are used for water or electricity works or other works for purposes of a public character the information with respect to, or the destruction or obstruction thereof, or interference therewith, would be useful to an enemy ;

NOW THEREFORE, in exercise of the powers conferred by sub-clause (d) of clause (8) of section 2 of the Indian Official Secrets Act, 1923 (Central Act 19 of 1923) read with Notification No. 21/20/62 Poll (I) dated 4th May 1963 of the Government of India, Ministry of Home Affairs, the Government of Karnataka hereby declares the said places to be prohibited places for the purposes of the said Act.

SCHEDULE

Sl. No.	Name of the place
1.	Small magazine at Bondel Quarry in S. No. 24 - 1F of Padushedde: *North* :—S. No. 24-1B of Padushedde *East* —S. No. 40-2 of Padushedde *South* :—S. No. 25 (Portion) and 27-1A Padushedde *West* :—S. No. 24 - 1E of Padushedde
2.	Open well near defunct tile factory in the staff colony area in S. No. 77-14 of Baikampady *North* :—S. No. 78-1B of Baikampady *East* :—S. No. 79-2 of Baikampady *South* :—S. No. 135-2 of Baikampady *West* :—S. No. 77-12, 77-13 and S. No. 76 of Baikampady (to be enclosed by fencing)
3.	Railway Marshalling Yard : *North*:—Northern Flood Bank-cum-Road *East* :—S. No. 44 and 128 of Panambur and S. No. 62 (Portion) of Baikampady. *South* :—B - C road leading to Sea-Shore *West* :—S. No. 124 and 134 (portion) 135, 136 and 139, 122, 121 and 120 (portion) of panambur village and S. No. 55, 56 and portion of 57 of Baikampady. (to be enclosed by fencing)

By Order and in the name of the Governor of Karnataka,

K. S. RAJAGOPAL,
Under Secretary to Government,
Home Department.

REVENUE SECRETARIAT

Notification No. RD 206 LGP 74.

Bangalore, dated 13th January 1975.

S. O. **1238**.—In exercise of the powers conferred by sub-rules (1), (2) and (3) of rule 24 of the Karnataka Land Grant Rules, 1969, the Government of Karnataka makes the following change in the Notification No. S. O. (38) (RD 21 LGP 74), dated 4th March, 1974, in respect of Karkala Taluk, South Kanara District, published in Part IV-2C (ii) of the *Karnataka Gazette* dated 8th August 1974.

In the Annexure to the said notification, the following changes is made in respect of Sl. No. 6, namely :—

	As per Notification	*Changes made*
6.	Sri M. Veerappa Moily, M.L.A., Advocate, Karkala.	6. Sri Babu Shetty, Kukkundur Village, Karkala Taluk.

By Order and in the name of the Governor of Karnataka,

H. MARRIGOWDA,
Under Secretary to Government,
Revenue Department.

1865

Notification, No. RD 30 ASG 75.

Bangalore, dated 15th January 1975.

S. O. 1239.—In exercise of the powers conferred under Section 12 (1) of the Karnataka Land Revenue Act, 1964 (Karnataka Act No. 12 of 1964) a post of Special Tahsildar for purpose of training of Central Secretariat Officer is sanctioned consisting of Revenue Circles of Hebbur and Bellavi of Tumkur Taluk, Tumkur District for a period of two months from 16th January 1975 to 16th March 1975.

2. Miss Suma Subbanna, Central Secretariat Service Officer is posted as Special Tahsildar in the above post for the above said period.

3. She shall exercise all the powers and perform all the duties as are exercised and performed by the Tahsildar in a Taluk under Section 12 (2) of the Karnataka Land Revenue Act, 1964 (Karnataka Act No. 12 of 1964). The Special Tahsildar shall be subordinate to the Tahsildar in the taluk except in such matters as the State Government may by order specify in this behalf.

4. The regular Tahsildar will continue to be incharge of the Elections and Census work and there is no territorial change in the Taluk.

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE,

Under Secretary to Government,
Revenue Department.

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REVENUE SECRETARIAT

Notification, No. RD 40 EST 75.

Bangalore, dated 17th May 1975.

S. O. **1240**.—In exercise of the powers conferred by Section 78 of the Indian Registration Act 1908 (Central Act XVI of 1908), the Government of Karnataka hereby makes the following further amendments to the table of fees notified in Notification No. RD 48 EST 72 dated 15th March 1973 *viz.*, in the Table of Fees annexed to the said Notification in Article XXXIV after item 31 the following shall be added :—

"32 for the Registration of leases executed by the Excise Contractors in favour of Government, for vending liquors".	Nil

This Order shall be in force upto and inclusive of 31st March 1976.

By Order and in the name of the Governor of Karnataka.

MUDDUMALLAIAH,
I/c *Under Secretary to Government,*
Revenue Department.

REVENUE SECRETARIAT

Order No. RD 49 EST 75.

Bangalore, dated 7th May 1975.

S. O. **1241**.—In exercise of the powers conferred by clause (a) of Sub-Section (1) of Section 9 of the Karnataka Stamp Act, 1957 (Karnataka Act No. 34 of 1957), the Government of Karnataka being of the opinion that it is necessary in the public interest so to do hereby remits the duties chargeable under the said Act in respect of instruments executed to receive loans from approved financial institutions in the public sector or from the nationalised Banks by the new Industries located in the Districts of Tumkur, Hassan, South Kanara, North Kanara, Dharwar Bijapur, Belgaum, Bidar, Gulbarga, Raichur, Mysore and the Notified Industrial areas (except Bangalore Metropolitan Area, Bangalore South Taluk and Bangalore North Taluk).

This concession will be available to new industrial investments in which effective steps have been taken on or after 1st January 1975 and within 31st March 1977.

By Order and in the name of the Governor of Karnataka,

MUDDUMALLAIAH,
I/c. *Under Secretary to Government,*
Revenue Department.

REVENUE SECRETARIAT

Order No. RD 471 AQM 74.

Bangalore, dated 31st January 1975.

S. O. 1242.—In exercise of the powers conferred by the proviso to Section 11 of the Land Act 1894 (Central Act I of 1894) as amended by the Land Acquisition (Karnataka Extension and Amendment) Act 1961 (Karnataka Act No. 17 of 1961), the Governor of Karnataka is hereby makes the following amendment in the order No. RD 105 AQP 67, dated 13th Febuary 1968 :—

In the table to the said order, in Column 3, for the entries relating to serial No. 2, the following entries shall be added—

"The Deputy Commissioner or Special Deputy Commissioner (as the case may be) may approve awards in respect of lands situated in his jurisdiction even though the Headquarters of the officer making the award is situated in a different district for administrative convenience".

By Order and in the name of the Governor of Karnataka,

V. GOVINDARAJ,
Under Secretary to Government,
Revenue Department.

2090

SOCIAL WELFARE AND LABOUR SECRETARIAT

Notification, No. SWL 38 LFB 75.

Bangalore, dated 9th May 1975.

S. O. 1243.—WHEREAS there is public emergency.

NOW, THEREFORE, in exercise of the powers conferred by Section 5 of the Factories Act, 1948 (Central Act 63 of 1948), the Government of Karnataka hereby exempts Printing Press of Karnataka State Road Transport Corporation from the provisions of Sections 51, 52, 53, 54, 56 and 79 of the said Act for a period of three months from 1st May 1975 subject to the conditions that.

1. the workers who may be deprived of the weekly holidays may be given compensatory holidays in lieu of all such weekly holidays which may not be allowed to them, as far as possible ;

2. leave may be refused where necessary in the exigencies of service, except in case of illness, and to provide for accumulation of leave without limit so that the workers do not lose the benefit of leave refused.

By Order and in the name of the Governor of Karnatak

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

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SOCIAL WELFARE AND LABOUR SECRETARIAT

Order No. SWL 228 LLD 75.

Bangalore, dated 7/13th May 1975.

S. O. 1244.—WHEREAS, the Government of Karnataka are of opinion that an industrial dispute exists between the workmen and the management of Gokak Mills limited Gokak Falls, on the points noted below.

AND WHEREAS the Government of Karnataka consider it desirable to refer the dispute for adjudication.

NOW THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act 1947 (Central Act No. 14 of 1947), the Government of Karnataka hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute.

"Is the management of Gokak Mills Ltd., Gokak Falls Justified in dismissing Sri: H. L. Bhagoji with effect from 29th November 1972?

If not, to what relief is the workman entitled ?"

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA.
Under Secretary to Government,
Social Welfare and Labour Department.

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SOCIAL WELFARE AND LABOUR SECRETARIAT

Order No. SWL 157 LLD 75

Bangalore dated 13th May 1975.

S. O. 1245.—WHEREAS the Government of Karnataka are of opinion that an industrial dispute exists between the workmen and the management of John Fowler (India) Ltd., Bangalore-560034, on the points noted below.

AND WHEREAS, the Government of Karnataka consider it desirable to refer the dispute for adjudication.

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act 1947 (Central Act No. 14 of 1947), the Government of Karnataka hereby refer the said dispute for adjudication to the Labour Court at Bangalore.

Points of Dispute

1 Are the management of John Fowler (India) Ltd., Sarjapur Road' Bangalore, justified in suspending the following workmen for four days for inciting workmen to go on strike ?

1 Triambica, 2. Thimmiah 3. Thimmiah Naidu, 4. Loganathan and 5. Venkatachalapathy.

If not, to what reliefs the workmen are entitled ?

2. Are the management of John Fowler (India) Ltd. justified in declaring lookout from 15th February 1974 to 8th March 1974 ?

If not, to what reliefs the workmen are entitled ?

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

203 *Under Secretary to Government,*
Social Welfare and Labour Department.

REVENUE SECRETARIAT

Notification No. RD 92 AQW 74,

Bangalore, dated 26th November 1974.

S. O. 1251.—In exercise of the powers conferred by clause (c) of section 3 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) as amended by Land Acquisition (Karnatak Extension and Amendment) Act, 1961 (Karnataka Act 17 of 1961), the Government of Karnataka hereby specially appoints Sri K. Rangappa, Commissioner, Hubli-Dharwar Municipal Corporation, to perform the function of the Deputy Commissioner under the said Act in respect of lands to be acquired for the purpose of the Hubli-Dharwar Municipal Corporation.

By Order and in the name of the Governor of Karnataka,

V. GOVINDARAJ,
Under Secretary to Government,
Revenue Department,

1625

REVENUE SECRETARIAT

Notification No. RD 473 ASG 73,

Bangalore, dated 1st/7th March 1975.

S. O. 1252.—WHEREAS the Government of Karnataka considers that for the purposes of expeditious disposal of work in Bellary District, it is expedient to appoint a special Deputy Commissioner for Bellary District ;

NOW, THEREFORE, in exercise of the powers conferred by Section 9 of the Karnataka land Revenue Act, 1964 (Karnataka Act 12 of 1964), the Government of Karnataka hereby appoints a Special Deputy Commissioner for Bellary District for the said purpose for the period upto and inclusive of 28th January 1976.

The Government of Karnataka hereby directs that the said Special Deputy Commissioner shall exercise the powers and perform the duties as are exercised or performed by the Deputy Commissioner in the said District under Sections 49, 50, 56, 69, 91, 92, 94 (A), 95, 97 and 136 of the Karnataka Land Revenue Act, 1964. In exercising the said powers and performing the said duties, the said Special Deputy Commissioner shall not be subordinate to the Deputy Commissioner of the District.

By Order and in the name of the Governor of Karnataka,

M. S. NAGARAJA,
Under Secretary to Government,
Revenue Department.

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REVENUE SECRETARIAT

Notification No. RD 47 TRM 74

Bangalore, dated 13th September 1974

S. O.1253.—Whereas there is failure of crops in the villages specified in column (2) of the Schedule below owing to inadequate rainfall the average crop-wise yield per acre is less than twentyfive per cent in 21 villages; and less than thirtyseven percent, in 14 villages thus collection of L.R. for 1967-68 was suspended, and this suspended Land Revenue would not be recovered in subsequent three years, as the Land Revenue of subsequent three years was suspended on account of average seasonal conditions;

And whereas the Government of Karnataka considered it necessary to remit the whole of the suspended land revenue payable for the year 1967-68 in respect of lands in the said villages;

Now, therefore, in exercise of the powers conferred by clause (ii) of sub-section (1) of section 194 of Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964), the Government of Karnataka, hereby remits the whole of the suspended land revenue payable for the year 1967-68, amounting to Rs. 1,41,740-47 in respect of the lands situated in Nargund Taluk of Dharwar District.

SCHEDULE

Sl. No.	Village		Amount
1	Araban	...	2442-57
2	Kalakeri	...	4173-02
3	Sunkadal	...	3999-38
4	Somapur	...	11001-81
5	Kapali	...	2481-54
6	Konnur	...	16859-79
7	Shirol	...	3631-14
8	Hadli	...	13850-81
9	Banahatti	...	3104-25
10	Mugnur	...	3005-08
11	Kasaba	...	4821-64
12	Kurlageri	...	2307-76
13	Budihal	...	848-22
14	Surkod	...	7555-36
1	Dandapur	...	7183-16
2	Gurlakatti	...	2543-79
3	Hunasikatti	...	4559-27
4	Kanakikop	...	4496-36
5	Path	...	4051-61
6	Siddapur	...	1552-24
7	Bhiranhatti	...	2396-39
8	Arashingudi	...	2449-39
9	Benkakankoppa	...	2875-80
10	Hirekopa	...	8476-44
11	Khanapur	...	2109-08
12	Lakamapur	...	328-52
13	Madagunki	...	3921-56
14	Reddarnagnur	...	4110-99
15	Wasan	...	3188-57
16	Gangapur	...	1021-00
17	Karagovinkop	...	1514-11
18	Chikkanargund		4539-72
19	Kallapur	...	3679-94
20	Bellari	...	1679-77
21	Jagapur	...	4980-60
		Total ...	1,51,740-47

By Order, and in the name of the Governor of Karnataka

G. VEERUPAKSHAYYA,
Under Secretary to Government,
Revenue Department.

REVENUE SECRETARIAT

Notification No. RDC 245 CEA 74

Bangalore, dated 20th December 1974.

S.O. 1254.—In exercise of the powers conferred by sub-section 1 of Section 29 of the Karnataka Co-operative Societies, Act, 1959 (Karnataka Act No. 11 of 1959) and in pursuance of Bye-law 20 of the Bidar District Co-operative Agricultural Service and Development Society, Ltd, Bidar, the Government of Karnataka hereby nominate the following persons as Government nominees on the Board of Directors of the Bidar District Co-operative Agricultural Service and Development Society, Ltd, Bidar, until further orders.

1. The Deputy Commissioner, Bidar,
2. The Deputy Director of Agriculture, Bidar,
3. The Assistant Registrar of Co-operative Societies, Bidar.

By Order and in the name of the Governor of Karnataka,

C. S. HUBLI,

Deputy Secretary to Government,

1749 *Rural Development and Co-operation Dept.*

COMMERCE AND INDUSTRIES SECRETARIAT

Notification No. CI 16 EMO 74.

Bangalore, dated 4th March 1975.

S. O. 1255.—In pursuance of Section 8 (2) of the Mines and Minerals (Regulation and Development) Act, 1957, and as per the directions of the Government of India *vide* their letter No. MV-1 (675)/72 dated 31st December 1973 under rule 55 of MCR 1960 the Government of Karnataka hereby renews the Mining Lease held by Sri M Chena Keswa Reddy legal heir of late M. Narasi Reddy referred to in the schedule hereunder for a period of 20 (twenty) years with effect from 25th February 1973 subject to the condition that the over due arrears should be cleared within a period of 3 years failing which the lease will be terminated.

SCHEDULE

No. and date of Government Notification sanctioning the Mining Lease.	Ore	Extent	Area
C & D 4894-97/GEO-109-52-2 25th February 1973	Manganese and Manganese dioxide	640	1 Sondenhalli C N Halli Taluk 2 Mavinhalli 3 Kondli, Gubbi taluk, Tumkur District

By Order and in the name of the Governor of Karnataka,

RAMANJANEYA,
Under Secretary to Government,
Commerce and Industries Department.

COMMERCE AND INDUSTRIES SECRETARIAT

Corrigendum No. CI 33 EMO 75

Bangalore, dated 14/19th March 1975

Sub: Sanction of Renewal of M.L. to M/s Balaji Produce Co., Madras over 320 Acres in Honnebagi Village C. N. Halli taluk, Tumkur District.

S. O. 1256.—

In line 5 of Government Notification No. CI 21 EMO 74, dated 16-7-74 for the words "M/s Balaji Procedure Co., Madras" substitute the words "M/s Balaji Produce Co., Madras".

By Order and in the name of the Governor of Karnataka,

RAMANJANEYA,

Under Secretary to Government,
Commerce and Industries
Department.

2406

Notification No. CI 77 CHD 74

Bangalore dated 3rd/7th March 1975

S.O.1256A.—In exercise of the powers conferred by sub-section (i) of Section 3 of the Karnataka Sheep and Sheep Products Development Act, 1973 (Karnataka Act 12 of 1974), the Government of Karnataka hereby appoints 10th March 1975 as the date for the purpose of the said sub-section.

By Order and in the name of the Governor of Karnataka,

E. VENKATA REDDY,

Under Secretary to Government,
Commerce and Industries
Department.

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COMMERCE AND INDUSTRIES SECRETARIAT

Notification No. CI 27 CIE 75.

Bangalore dated 4/5th March 1975.

Sub :—Appointment of Sri Zafar Saifullah, Director of Industries and Commerce and Director, Karnataka Small Industries Corporation and Managing Director, Karnataka Small Industries Corporation from 27th February 1975 in place of Sri K. S. N. Murthy. proceeding on foreign tour.

S.O. 1257 —Under Article 71 of the Articles of Association of Karnataka Small Industries Corporation Ltd., Bangalore the Governor of Karnataka is pleased to appoint Sri Zafar Saifullah, Director, Industries and Commerce, Bangalore, and Director on the Board of Directors of Karnataka Small Industries Corporation Ltd., Bangalore, as Managing Director of the said Corporation with effect from 27th February 1975 till Shri K. S. N. Murthy Chairman and Managing Director of Karnataka Small Industries Corporation Ltd., returns from his foreign tour.

By Order and in the name of the Governor of Karnataka,

E. VENKATA REDDY,
Under Secretary to Government,
Commerce and Industries Department.

2288

COMMERCE AND INDUSTRIES SECRETARIAT

Notification No. CI 103 EMC 74

Bangalore, dated 3rd January 1975

S. O. 1258.—In pursuance of Section 8 (2) of the Mines and Minerals (Regulation and Development) Act 1957, and after obtaining the approval of Government of India *vide* their letter No. 7 (22)/72 MVI dated 18th November 1974, the Government of Karnataka hereby renews the Mining Lease held by Sri P. Shankarnarayana Rao referred to in the schedule hereunder for a period of 10 (ten) years with effect from 21st July 1972.

No. and date of Govt. Notification sanctioning the M. L.	Ore	Extent	Area
CI 67 MML 62 dated 23rd March 1962	Iron Ore	39.66 (hectares)	Talgode and Kalasa villages Mudigere Taluk, Chickmagalur District.

By Order and in the name of the Governor of Karnataka,

RAMANJANEYA,
Under Secretary to Government,
Commerce and Industries Dept.

1904

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 76 LAG 74.

Bangalore, dated 21st December 1974.

S. O. 1259—.In exercise of the powers conferred by sub-section (2) of Section 24 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) the Government of Karnataka hereby appoints Shri. K. Durgoji Rao, B.A. LL.B. as Public Prosecutor, Chickamagalur District, for a period of two years with immediate effect.

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government,
1764 *Department of Law and Parliamentary Affairs.*

Notification No. LAW 221 LCE 72.

Bangalore, dated the 27th December 1974.

S O. 1260.—In exercise of the powers conferred by Section 8 of the Karnataka Civil Courts Act, 1964 (Karnataka Act No. 21 of 1964), the Government of Karnataka, in consultation with the High Court of Karnataka, fixes with effect from the date the officer assumes charge of the post. the number of Civil Judges to be appointed to the Court of Civil Judge, Hubli as two.

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government,
1765 *Department of Law and Parliamentary Affairs.*

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 85 LAG 74.

Bangalore, dated 20th December 1974.

S O. 1261.– The Government of Karnataka hereby appoints Shri Sanganna Sahebgowda Patil, B.SC., LL.B., as Assistant Government Pleader, Gulbarga for a period of three years with immediate effect.

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government,
1761 *Department of Law and Parliamentary Affairs.*

Notification No. LAW 14 LGN 75.

Bangalore, dated 22nd/24th March 1975.

S. O. 1262—In exercise of the powers conferred by clause (1) of Article 299 of the Constitution of India the Governor of Karnataka hereby authorises the Deputy Co missioners of the Districts, to execute on his behalf the lease deeds in respect of the houses to be leased to the Defence Personnel hailing from the State of Karnataka who were disabled in the Indo-Pakistan conflict in 1971 or to the families of such personnel who were killed in the said conflict.

MOHANLAL SUKHADIA.
GOVERNOR OF KARNATAKA,

By Order and in the name of the Governor of Karnataka,

M. L. RAMASWMI,
Draftsman and Ex-Officio Joint Secretary to Government, Department of Law and
2452 *Parliamentary Affairs.*

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LWA 56 LAG 74.

Bangalore, dated 24th December 1974.

S. O. 1263.—The Government of Karnataka hereby appoints Shri M. N. Raghavendra Rao, B.A., B.L., as Assistant Government Pleader, Holenarasipura for a period of three years with immediate effect.

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government.
1762 *Department of Law and Parliamentary Affairs.*

Notification No. LAW 92 LGN 74.

Bangalore, dated 2nd November 1974.

S. O. 1264.—In exercise of the powers conferred by Article 299 of the Constitution of India the Governor of Karnataka hereby authorises the Assistant Commissioners of the Revenue Sub-Divisions to execute on his behalf the agreement and the mortgage deed to be executed by the beneficiaries under the Peoples Housing Scheme in accordance with the Government Orders issued from time to time

MOHANLAL SUKHADIA
GOVERNOR OF KARNATAKA

By Order and in the name of the Governor of Karnataka,

M. L. RAMASWAMI,
Draftsman and Ex-Officio *Joint Secretary to Government, Department of Law and*
1343 *Parliamentary Affairs.*

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 109 LAG 74.

Bangalore dated the 14th February, 1975.

S.O. 1265.—In exercise of the powers conferred by sub-section (2) of Section 24 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Government of Karnataka hereby appoints Shri M R. Naik, B.Sc (Hons.) LL.B. as Additional Public Prosecutor, North Kanara District, Karwar for a period of three years with effect from 20th January 1975.

The Government of Karnataka also hereby appoints Shri M. R. Naik, as Assistant Government Pleader, North Kanara District, Karwar for a period of three years with effect from 20th January 1975.

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government,
2190 *Dept. of Law and Parly. Affairs.*

Notification No. LAW 100 LAG 74.

Bangalore dated 12th February 1975.

S.O. 1266.—The Government of Karnataka hereby appoints Shri V. R. Karadgi, B.A.LL.B., as Assistant Government Pleader, Saundatti for a period of two years with effect from 14th December 1974.

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government,
2157 *Dept. of Law and Parly. Affairs.*

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 23 LCL 74

Bangalore, dated 6th November 1974

S. O. 1267.—In exercise of the powers conferred by Sub-Section (1) of Section 57 of the Provincial Insolvency Act, 1920 (Central Act 5 of 1920) as extended by the Provincial Insolvency (Karnataka Extension and Amendment) Act 1952, the Government of Karnataka hereby appoint Sri. Shivayogappa Basappa Hebbalii, B.A. L.L.B., L.L.M., as Official Receiver, Bijapur for a period of two years with immediate effect.

By Order and in the name of the Governor of Karnataka,

B.N. RANGANNA,
Under Secretary to Government,
1415 *Dept. of Law and Parly. Affairs.*

Notification No. LAW 103 LAG 72

Bangalore, dated 12th February 1975

S. O. 1268.—The Government of Karnataka hereby appoints Shri B M. Kulkarni as Asst. Government Pleader, Muddebihal for a period of one year with immediate effect.

By Order and in the name of the Governor of Karnataka,

B.N. RANGANNA,
Under Secretary to Government,
2156 *Dept. of Law. and Parly. Affairs.*

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 100 LGC 74

Bangalore dated the 1st January 1975.

S O.1269.—In exercise of the powers conferred by sub-section (6) of Section 24 of the Code of Criminal Procedure, 1974 (Central Act No. 2 of 1974). Sri M. Nagappa, Advocate, Gulbarga is hereby appointed as Special Public Prosecutor to conduct the prosecution in Sessions Case No. 31/74 before the Sessions Judge, Gulbarga.

By Order and in the name of the Governor of Karnataka,

T. S. LAKSHMINARAYANA RAO,
Asst. Solicitor and Ex-officio
Under Secretary to Government,
1824 *Law Department*

Notification No. LAW 176 LMC 74.

Bangalore, dated 12th—13th December 1974.

S. O. 1270.—In exercise of the powers conferred by sub-section (b) of Section 24 of the Code of Criminal Procedure, 1974 (Central Act 2 of 1974) the Government of Karnataka hereby appoint Sri N. Nagarajappa, Advocate as Special Public Prosecutor to conduct the prosecution before the Sessions Judge, Mysore in S.C. 63/74.

By Order and in the name of the Governor of Karnataka,

T. S. LAKSHMINARAYANA RAO,
Asst. Solicitor and Ex-officio
1693 *Under Secretary to Govt. Law Department.*

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 40 LAG 74.

Bangalore, dated 12th August 1974.

S. O. 1271.—WHEREAS the Government of Karnataka is of opinion that it is necessary in public interest to remit the fees payable under the Karnataka Court Fees and Suits Valuation Act, 1958 in respect of applications or petitions by freedom fighters for issue of a Certificate by the authorities of the Jail under the Karnataka State Freedom Fighters Welfare Rules, 1969 ;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 70 of the Karnataka Courts Fees and Suits Valuation Act, 1958 (Karnataka Act 16 of 1958), the Government of Karnataka hereby remits in full the fee payable under the said Act in respect of the applications or petitions presented by the freedom fighters to the Jail Authorities in the State for the issue of a Certificate under the Karnataka State Freedom Fighters Welfare Rules, 1969.

By Order and in the name of the Governor of Karnataka,

B. N. RANGANNA,
Under Secretary to Government,
Department of Law and Parly. Affairs.

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Notification No. LAW 41 LAG 74.

Bangalore, dated 3rd August 1974.

S. O. 1272 —The Government of Karnataka hereby appoints Shri K. Garudachar, as Government Pleader, Tumkur for a period of two years with effect from 19th June 1974.

By Order and in the name of the Governor of Karnataka,

B N. RANGANNA,
Under Secretary to Government,
Department of Law and Parly Affairs.

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LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 145 LAG 72-II.

Bangalore, dated 2nd December 1974.

S. O. 1273,—The Government of Karnataka hereby appoints Shri V. Nagarajachar, as Assistant Government Pleader, Harapanahally for a period of three years with immediate effect.

By Order and in the name of the Governor of Karnataka,

B.N. RANGANNA,
Under Secretary to Government,
1628 *Dept. of Law and Parly. Affairs.*

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 391 TDI 73.

Bangalore, dated 18th January 1975.

S. O. 1274.—In exercise of the powers conferred by clause (c) of sub-section (2) of Section 81 of the Karnataka Municipalities Act, 1964 (Karnataka Act No. 22 of 1964), the Government of Karnataka hereby transfers Government land (bounded to the North: CTS No. 437 A/1A/a and Part of CTS No. 438 to the South Part of CTS No. 438. To the East-Road to Electric Power House. To the West-Kachari Road) measuring 458 3/9 square yards out of CTS No. 438/G of W. No. IV of Bijapur to the City Municipal Council, Bijapur, free of cost for constructing drainage, subject to the condition that the land should be used for the purpose for which it is transferred to the Municipal Council and that it shall revert to Government if it is not used for the said purpose.

By Order and in the name of the Governor of Karnataka,

C. N. NARASIMHAIAH,
1921 *Under Secretary to Government,*
Health and Municipal Administration Department.

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 32 MNE 74:

Bangalore, dated 2nd April 1975.

S. O. 1275:—In exercise of the powers conferred by Section 14 of the Bangalore Water Supply and Sewerage Act, 1964 (Karnataka Act No. 36 of 1964), the Government of Karnataka hereby constitute a consultative Committee and appoints the following persons as members for a period of two years with immediate effect.

Chairman.

1. Shri N. Laxman Rao, Chairman, Bangalore Water Supply and Sewerage Board, Bangalore.

Members.

2. The Chief Engineer, Minor Irrigation and P. H. Engineering, Bangalore.
3. Sri T. S. Satischandran, Commissioner and Secretary to Government, Finance Department.
4. The Chairman, Mysore Urban Water Supply and Drainage Board, Bangalore.
5. Sri K. Krishna Murthy
6. Sri S. C. Venkatesh, No. 78, 15th Cross, Malleswaram.
7. Sri Visveshwaraiah, Retired Superintending Engineer.
8. The Chairman, City Improvement Trust Board, Bangalore.
9. The Chairman, Karnataka Housing Board, Bangalore.
10. The Commissioner, Corporation of the City of Bangalore, Bangalore.
11. Sri Rahamatulla Khan, M. L. A.
12. Sri K. S. R. Naidu. M. L. A.
13. Smt. Laxmi Devi Ramanna, Former M. L. A.
14. Sri S. H. Puttaranganath

By Order and in the name of the Governor of Karnataka,

C. N. NARASIMHAIAH,

Under Secretary to Government,

Health and Municipal Admn. Department.

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HOME SECRETARIAT

Notification No. HD 4 PEG 74

Bangalore, dated 1st March 1975

S. O. 1276.—In exercise of the powers conferred by sub-sections (1) and (2) of Section 92 of the Karnataka Police Act, 1963 (Karnataka Act No. 4 of 1964), the Government of Karnataka hereby extends the provisions of clauses (a), (i), (k), (o), (p), (r) and (s) of the said sub-section (1) to the local areas specified in column (3) of the Table below situated in the districts and taluks specified in the corresponding entries in Columns (1) and (2) thereof, for a period of five years from 1st April 1975.

TABLE

Name of the District	Name of the Taluk	Local Area
1	2	3
1. South Kanara	Coondapur	1 Anegally village
		2 Asodu ,,
		3 Azizi ,,
		4 Albody ,,
		5 Ampar ,,
		6 Amsebailu ,,
		7 Bijadi ,,
		8 Balkur ,,
		9 Belve ,,
		10 Coondapur Town
		11 Odeyarhobli
		12 Devalkunda village
		13 Gopody ,,
		14 Gujady ,,
		15 Gulwady ,,
		16 Hadavu ,,
		17 Hengavally ,,
		18 Hangaloor ,,
		19 Hosangady ,,
		20 Hosadu ,,
		21 Hemmady ,,
		22 Halanadu ,,

1	2	3	
		23	Hesakathur ,,
		24	Hathiangady
		25	Japathi ,,
		26	Kadhady ,,
		27	Kumbhashi ,,
		28	Korg ,,
		29	Koni ,,
		30	Karkunje ,,
		31	Kandawara ,,
		32	Kulanje ,,
		33	Kenchanoor ,,
		34	Kalawara ,,
		35	Kanyana ,,
		36	Kattebalthoor
		37	Kavvady ,,
		38	Mooluhalady
		39	Madamakki ,,
		40	Machottu ,,
		41	Bathady ,,
		42	Shedimane ,,
		43	Thrasi ,,
		44	Thallur ,,
		45	Ulloor ,,
		46	Uppinakuduru
		47	Vakwady ,,
		48	Yedmage ,,
		49	Basroor ,,
2. Coorg	Somwarpet	1	Naganoor Village
		2	Kushur ,,
		3	Belur ,,
		4	Igoor Harangi
		5	Garvalue ,,
		6	Kundally ,,
		7	Kagadi Katte
		8	Bitikatte ,,
		9	Aburkatte ,,
		10	Gonimaroor ,,
		11	Banawara ,,
		12	Gopalpur ,,
		13	Kodlipet Town
		14	Kitharu Village
		15	Bombalore ,,
		16	Miluvagelu ,,
		17	Alur ,,

1	2	3	
		18	Malambi ,,
		19	Gowdahalli ,,
		20	Guddehosur ,,
		21	Hosakote ,,
		22	Thorenur ,,
		23	Sirangala ,,
		24	Harangi (Project)
		25	Kodegarakally village
		26	Kedakal ,,
		27	Athur Hathur ,,
		28	Haluguly ,,
		29	Garugandoor
	Virajpet	30	Arji ,,
		31	Bettoli ,,
		32	Maggula ,,
		33	Kukloor ,,
		34	Bittengala ,,
		35	Kandangala Ontyangady
		36	Kadanoor (Boikery)
		37	Kadangeri Arpattu village
		38	Makuta ,,
		39	Nelkeri ,,
		40	Kirgoor ,,
		41	Balele ,,
		42	Ponnampet ,,
		43	Thithimathy
		44	Bekkesodlur
		45	Naloor ,,
		46	Ponnappasanthe
		47	Srimangala ,,
		48	Kutta ,,
		49	T. Shettigeri
		50	Hudikeri ,,
		51	Birunani ,,
		52	Avvathoklu ,,
		53	Kaikery ,,
		54	Agthur ,,
		55	Kunda ,,
		56	B. Shettigeri ,,
		57	Hathur ,,
		58	Siddapur ,,
		59	Pollibetta ,,

1	2	3	
	Mercara	60	Murnad ,,
		61	Sampaji ,,
		62	Napoklu ,,
		63	Kakkabbe ,,
		64	Chettimani ,,
		65	Bhagamandala
		66	Nellaji ,,
		67	Kottamudi ,,
		68	Paloor ,,
3 Hassan	Arsikere	1	Nerlige Village
		2	Undiganalu ,,
		3	Madalu ,,
		4	Belgumba ,,
		5	Thallur ,,
		6	Yodapura ,,
		7	Murandi ,,
		8	Kyathanahally
		9	Kamasamudra
		10	Thumbapura
		11	Holalkere ,,
		12	Rampura ,,
		13	Adihally ,,
		14	Pannasamudra
		15	Kellangere ,,
		16	Jajir ,,
		17	Abbangatta
		18	Dummenchally
		19	Mududi ,,
		20	Kudukundi ,,
		21	Bagivalu ,,
		22	Dodda Heraganalu
		23	Marasettyhally
		24	Heggatta ,,
		25	Ahhenahally
		26	N. Hosohally
		27	Jakkanahally
	Chennarayapatna	28	A. Belagali ,,
		29	Samtheshivara
		30	Karikyathanahally
		31	D. Tumkur ,,
		32	Baddikere ,,
		33	Samudravally
		34	Kallikere ,,

1	2		3	
		35	Devigere	,,
		36	Koggere	,,
		37	Athihally	,,
		38	Chikkanahally	
		39	Bilikere	,,
		40	Hebbalu	,,
		41	Jinnenahally	
		42	Mathighatta	
		43	Kodihally	,,
		44	Balaghatta	,,
		45	Balehally	,,
		46	Hullenahally	
		47	Navile	,,
		48	Bhaktaravally	
	Arakalgudu	49	Ganjalgud	,,
		50	Santhemarur	
		51	Aldahally	,,
		52	Bychanahally	
4	Chickmagalur Mudigere	1	Gonibeedu	,,
	Chickmagalur	2	Sangameswarapet	Devadama
	Kadur	3	Hogrehally	,,
		4	Hirenallur	
	Tarikere	5	Kulloor	,,
5	Mandya Srirangapatna	1	M. Settihalli	
		2	Kodathamal	,,
		3	Sabbanakuppe	
		4	Baburayanakoppal	
		5	Srinivasagrahara	
	Pandavapura	6	Katteri	,,
		7	Harvu	,,
	Mandya	8	Keelara	,,
		9	Hanakere	,,
		10	Ummadahally	
		11	Hosabudananoor	
		12	Chandagalu	
		13	Doddagarudanahalli	,,
		14	Dudda	,,
		15	G. Malligere	,,
		16	K. Gowdagere	,,
		17	M. Hosahalli	,,
	Maddur	18	Haraganahalli	,,

1	2	3	
6	Mysore	Hunsur	1 Varanchi (Gurupura)
			2 Hanagodu
			3 Chilkunda
			4 Gavadagere
		Periyapatna	5 Bettadapura
			6 Komalapura
			7 Kithoor
			8 Ravandoor
			9 Bylakuppe
			10 Koppa
			11 Avarthi
		K. R. Nagar	12 Hampapura
			13 Kuppehanta (Chunchankatte)
			14 Hanasoge
			15 Bheriya
		Mysore	16 Vajamangala
			17 Kyathamaranahalli
			18 Giriyaboyipalya
			19 K. R. Mill Colony
			20 Siddalingapura
			21 Kuppegala
			22 Kadakola
			23 Jayapura
6	Mysore	H. D. Kote	24 Hampapura
			25 Hommaragally
			26 Padukote Kaval
			27 Yerehalli
			28 Doddbyranakuppe
			29 Antharasanthe
			30 Jakkahally
			31 Thumbasoge
			32 Bennegere
			33 Badagalapura
			34 Mullur
			35 Beechanahalli
		Chamarajanagar	36 Udigala
			37 Harave
			38 Uganedahundi
			39 Kothalavadi
			40 Arakalavadi
			41 Nanjadevanapura
			42 Yanagally
			43 Kagalavadi

1	2		3	
		44	Honganur	
		45	Haradanahalli	
		46	Venkataiahnachatra	
		47	Madapura	
		48	Ummathur	
		49	Bagoli	
		50	Mangala	
		51	Jannur	
		52	Jannur Hosur	
	Yelandur	53	Honur	
		54	Kestur	
		55	Yaragambally	
		56	Agara	
		57	B. R. Hills	
	Nanjangud	58	Hadinaru	
		59	Bokkahalli	
		60	Sanduvally	
		61	Kappusage	
		62	Hedathale	
		63	Nagarale	
		64	Suthur	
		65	Devanoor	
	Gundlupet	66	Berambadi	
		67	Beemanabeedu	
		68	Chikkallipura	
7	Raichur Manvi	1	Halli Hosur	Village
		2	Padandoddi	,,
		3	Bommal	,,
		4	Machanur	
		5	Toldini	,,
		6	Donmardi	,,
		7	Malladgud	,,
		8	Hirekadbur	
		9	Tadakal	
		10	Watag[illegible]	
		11	Pata[illegible]	
		12	Betadoor	
		13	Korvi	
		14	Madalapur	
		15	Rajoli	
		16	Junnur	
		17	Boilmerchad	,,
		18	Rajalbanda	,,
		19	Sunkeshwar	,,

1	2	3		
	Manvi	20	Bhogawathi	,,
		21	Umlihosur	,,
		22	Karidigudda	,,
	Deodurg	1	Chickhonkoni	,,
		2	Joladodigi	,,
		3	Honatgi	,,
		4	Itagi	,,
		5	Hiregudur	,,
		6	Gugal	,,
		7	Gandhal	,,
		8	Galag	,,
		9	Mandargi	,,
	Raichur	1	Kalmala	,,
		2	Rampur	,,
		3	Hosur	,,
		4	Askihal	,,
		5	Manchalapur	,,
		6	Ekaaspur	,,
		7	Merchand	,,
		8	Hospet	,,
		9	Jegarkal	,,
		10	Mallapur	,,
		11	Sultanpur	,,
		12	Jagir Venkatapur	,,
		13	Chenderabanda	,,
		14	Katcakatkur	,,
		15	Yapaldinni	,,
		16	Aatkur	,,
		17	Devasoogur	,,
		18	Koddloor	,,
		19	Yeganoor	,,
		20	Chicksugur	,,
		21	Edlapur	,,
		22	Gunjalli	,,
		23	Talmari	,,
		24	Dinni	,,
		25	Merchatal	,,
		26	Gillesugur	,,
		27	Maliyabad	,,
	Gangawathi	1	Baspatna	,,
		2	Sreeramnagar	,,
		3	Siddapur	,,
		4	Karatgi	,,

1	2	3
		5 Maranahalli Camp ,,
		6 Chickjantakal ,,
		7 Hulihydr ,,
		8 Navli ,,
		9 Muslapur ,,
		10 Yerdon camp ,,
		11 Anegundi ,,
		12 Kesar Hatti ,,
		13 Heror ,,
	Sindhnur	1 Turvihal Town ,,
		2 Jawalgera Village
		3 Balganoor Town
		4 Malkam timmi Village
		5 Gudadur ,,
	Sindhnur	6 Umlothi village
		7 Jalihal and Camp village
		8 Henchal ,,
		9 Virapur ,,
		10 Dhadesugur
		11 Gunjalli ,,
		12 Gund ,,
	Kushtagi	1 Tawargere Town
	Lingsugur	1 Rondalbanda village
		2 Anahosur ,,
		3 Chittapur ,,
		4 Devoor Bhopur
		5 Bannigal ,,
		6 Nagarhal ,,
		7 Sajjalgud ,,
		8 Kachapur ,,
		9 Amdihal ,,
		10 Kansavi ,,
		11 Maski Town
		12 Ankasnoddi village
		13 Antekallur ,,
		14 Medikinal ,,
		15 Jakkar madu
		16 Naglapur ,,
		17 Chattra ,,
		18 Kotha ,,
		19 Yelagatta ,,
		20 Nulogal ,,

1	2	3	
	Koppal	1	Koppal Town
		2	Bhagyanagar Town
		3	Gunigera village
		4	Halgera ,,
		5	Ilkalgada ,,
		6	Kimhal Town
		7	Bhadur banda village
		8	Hosahalli ,,
		9	Hirebommanal
		10	Chickbommanhol
		11	Chik kaymukhi
		12	Hasagal ,,
		13	Alwandi Town
		14	Kowloor village
		15	Wadaganal ,,
		16	Mavinhalli ,,
		17	Gudlapur ,,
		18	Bisnall ,,
		19	Hutti ,,
		20	Betagere ,,
		21	Hiresnodagi
		22	Ganahal ,,
		23	Munirabad Town
		24	Aglikere village
		25	Hunal ,,
		26	Pandiharalpur
		27	Boodagumpa
		28	Hulgi ,,
		29	Kuknur Town
	Yelburga	1	Kuknur Town
		2	Masebenchihal village
		3	Yerihenchinal
		4	Tondihal ,,
		5	Bhanapoor,,
		6	Bammikoppa
		7	Todakal ,,
		8	Itagi ,,
		9	Adoor ,,
		10	Rajur ,,

By Order and in the name of the Governor of Karnataka,

K. S. RAJAGOPAL,
Under Secretary to Government,
Home Department.

HOME SECRETARIAT

Order No. HD 44 CNA 75.

Bangalore, dated.....March 1975.

S. O. 1277—In exercise of the powers conferred by Section 12 of the Karnataka Cinemas (Regulation) Act, 1964 (Karnataka Act 23 of 1964), the Government of Karnataka hereby approves for the purpose of the said section the films approved by Government of India specified in the Schedule below and directs every licensee under the said Act to exhibit the same at each show before the commencement of feature film.

SCHEDULE

Sl. No.	Title of the film	Length 35 mm	Name of the applicant	Name of the producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5	6
1	I. N. R. No. 1365 (Eastern Edition)	295.00 metres	Films Division, Government of India 24, Poddar Road, Bombay 26.		News and current events (for release in Southern Circuit)
		[F. No. 28/2/74-F(P)APP-1961]			
2	I N. R. No. 1364	227.00 metres	do		Film dealing with news and current events.

1	2	3	4	5	6
3	I. N. R. No. 1365	237.00 metres	do		do
4	I. N. R. No. 1366	235.00 metres	do		do
5	I. N. R. No. 1367	201.00 metres	do		do
6	I. N. R. No. 1368	220.67 metres	do		do
7	I. N. R. No. 1359-A	119.00 metres	do		do
8	Bokaro Story	219.00 metres	do		'Educational'
9	Alert Always	290.00 metres	do		'Educational'
10	Bade Pate Ke Bat	109.00 metres	Films Division, Govt. of India, 24, Poddar Road, Bombay		'Documentary'
11	Every one Counts	129.00 metres	do		'Educational'
12	Methods that Master	274.00 metres	do		do
13	Bamboo (Colour	426.00 metres	do		do
14	Harvest Time	311.00 metres	do		do
15	Poultry for Profit	459.00 metres	do		do
16	The Nomad puppeteer	542.00 metres	do		do
17	Sahavasi (Colour)	281.00 metres	do.		do
18	Atoms	335.00 meters	do		'Educational'
19	Man in search of Man (Colour)	592.00 metres	do		do
20	Heart Attack	305.00 metres	do		do
21	Do we Care	370.00 metres	do		do
22	Young Artisans	292.00 metres	do		do

1	2	3	4	5
23	From Freedom to self Reliance	363-00 metres	do	Educational
24	Bal Bhavan	271.00 metres	do	do do
25	Zoo with a difference	340.15 metres	do	do do
26	Mamalla-puram	328.27 metres	Shri B. D. Garga, D-11, Commerce Centre Tardeo Road, Bombay-34.	do
27	Destination India (Colour	412.67 metres	Cinerail communication, National House, 6, Tulloda Road, Bombay-1	Documentary
28	The Fire	274.50 metres	Bhim Sain, Climb Films, 22, Arun Chambers, J. Dadaji Road, Bombay-34	Educational
29	Tipsai	321.56 metres	M/s. Exposure, C/o Arun Banerjee, 19-B, Mahendra Bose Lane Calcutta-3	do

(F. No. 28/2/74-F(P) App. 1959)

By Order and in the name of the Governor of Karnataka,

K. S. L. SASTRY,

Under Secretary to Government,
Home Department.

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COMMERCE AND INDUSTRIES SECRETARIAT

Notification No. CI 22 BCS 75,

Bangalore, dated 9/14th May 1975

S. O.1278.—In exercise of the powers conferred by Clause 10 of the Cement Control Order 1967 issued by the Government of India, Ministry of Industrial Development in S. O. No. IDRA/ISC/67 dated 23rd December 1967 and in supersession of Notification No. CI 22 BCS 74, dated 7th August 1974, the Government of Karnataka hereby prescribed that the maximum retail price inclusive of all taxes and duties except as indicated below at which ordinary Cement manufactured within and outside the Karnataka State may be sold by a dealer shall with effect from 1st April 1975, be as follows, namely:—

		Cement manufactured within the State rate per bag in Rs. & paise.	Cement manufactured outside the State where CST has been paid rate per bag in Rs. & paise.
1.	At places connected by Rail or at places upto 4 K. M. from rail head.	19-10 (inclusive of KST)	18-19 (Excluding KST)
2.	At places beyond 4 K. M. from a Rail head.	19-40 (inclusive of KST)	18-49 (Excluding KST)
3.	At places beyond 30 K. M. from a rail head.	19-70 (inclusive of KST)	18-79 (Excluding KST)
4.	At places beyond 60 K. M. from a rail head.	19-70 (inclusive of KST) *plus* one paise per kilo meter in excess of 60 K. M.	18-79 (Excluding KST) *plus* one paise per Kilo meter in excess of 60 K. M.

Octroi, where Leviable will be Extra.

By Order and in the name of the Governor of Karnataka,

M. VEERARAJ URS,

Commissioner for Industries and Commerce and Secretary to Government, Commerce and Industries Department.

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REVENUE SECRETARIAT

Notification No. RDF 3 TNV 72.

Bangalore, dated 14th March 1974

S. O. 1279.—

THE GOVERNOR is pleased to direct change in the Imperial Gazetteer—name as indicated in the Table below:—

To what the name applies	Existing spelling in the Imperial Gazetteer of India Bijapur	Corrected spelling in Roman (English)	Correct name in the Regional Language (Kannada)	Corrected name in Devanagari script (Hindi)
(1)	(2)	(3)	(4)	(5)
Village	HIPPARGI	DEVAR HIPPARGI	ದೇವರ ಹಿಪ್ಪರಗಿ	देवरहिप्परगि

The correct name as indicated in Columns 3, 4, 5 should be adopted for reference in all Government Records.

N. B. SAKHARADADNE

2963 *Under Secretary to Government, Revenue Department.*

FOOD AND FOREST SECRETARIAT

Notification No. AFD 69 FAF 74.

Bangalore, dated 24th/28th January 1975.

S.O. 1280.—In exercise of the powers conferred by Section 17 of the Karnataka Forest Act 1963, (Karnataka Act 5 of 1964), the Government of Karnataka hereby declares that the land specified in the Schedule I below shall with effect from 1st March 1975 be a Reserved Forest subject to the exercise of rights specified in Schedule II.

SCHEDULE-I

Name of the District	....	Gulbarga
Name of the Taluk	....	Yadgir
Name of the village	....	Nazrapur and Keshwar village.
Survey No.		16 and 139 of Nazrapur village and 139 of Keshwar village.
Area :		891-11 Acres.
Name of the Block :		Keshwar Block.

Boundary Description

NORTH A TO B

The forest boundary line starts from the point 'A' in the direction of east along with Nazirapur village boundary and here it turns its direction to north corner of village boundary of Chanderki and again it turns its direction to east and reaches the point 'B'.

EAST B TO C

From here the line starts from the point 'B' in the direction of South in a Zig zag manner and including Sy. No. 139 Cairan of Keshwar village and excluding the Sy. Nos. 141, 143, 138, 134, 133, 132 129, 128, 126, 14, 9, 10, 11, 12 and 15, 18, 17, 19, 20, 21, 22 of Keshwar-village and reaches the point 'C' in the corner of village boundary putpak.

SOUTH C TO D

From here the line turns towards in the direction of west in a Zig Zag manner and excluding the Sy. No. 47, 46 and 99, 24 and reaches the point 'D'

WEST D TO A

From here the line starts in a Zig Zag manner and excluding Sy. Nos. 101, 115 128, 130, 133, 134, 136 137, 139, 138, 142, 141, 14, 3, 4 and 5 of the Nazirapur-village and reaches the point 'A' where it is started.

SCHEDULE-II

The foot path and cart tracks passing through this block are closed to the public.

By Order and in the name of the Governor of Karnataka,

JAYATHIRTHA RAO BAPU,
Under Secretary to Government,
Food and Forest Department.

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RURAL DEVELOPMENT AND CO-OPERATION SECRETARIAT

Notification No. RDC 70 CPS 74.

Bangalore dated 21st December 1974.

S. O. 1281.—In exercise of the powers conferred by sub-section (1) of section 29 of the Karnataka Cooperative Societies Act 1959 (Karnataka Act 1 of 1959) and in pursuance of the bye-law No. 28 (d) of the Taluk Agricultural Produce Cooperative Marketing Society Ltd., Channagiri, Shimoga District, the Government of Karnataka, hereby nominate the following persons on the Board of Directors of Taluk Agricultural Produce Co-operative Marketing Society Ltd., Channagiri, until further orders.

1. Sri J. B Marilingappa S/o Shri Basappa, Haronahalli Ajjihalli Post, Channagiri Taluk.

2. Sri G. C. Nagaraj S/o Sri G. Channappa, Marabanahalli, Basavapatna Hobli, Channagiri Taluk.

By Order and in the name of the Governor of Karnataka,

K. A. SESHADRI,

Under Secretary to Government,

1768 *Rural Development and Co-operation., Department.*

REVENUE SECRETARIAT

Notification No. RD 205 LGP 74.

Bangalore, dated 13th January, 1975.

S. O. 1282.—In exercise of the powers conferred by sub-rules (1), (2) and (3) of rule 24 of of the Karnataka Land Grant Rules. 1969, the Government of Karnataka hereby makes the following change in the Notification No. S. O. (144) (RD 21 LGP 74) dated 25th February, 1974, in respect of Gulbarga Taluk, Gulbarga District, published in Part IV-2C(ii) of the Karnataka Gazette dated 8 August 1974, namely:—

In the Annexure to the said Notification, the following change is made in respect of Sl. No. 9:—

As per Notification	*Change made*
(9) Sri Mohamad Ali Mehatab Ali, M. L. A., H. No. 1/113, Station Bazaar, Gulbarga.	(9) Sri Gulam Hafeez Khan, B. A., LL. B., Advocate, Gulbarga.

By Order and in the name of the Governor of Karnataka,

H. MARIGOWDA,
Under Secretary to Government,
Revenue Department.

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REVENUE SECRETARIAT

Notification No. RD 113 ASG 75.

Bangalore, dated the 15th May 1975.

S. O. 1283.—In exercise of the powers conferred under Section 10 (1) of the Karnataka Land Revenue Act, 1964 (Karnataka Act No. 12 of 1964) a post of Additional Head Quarters Assistant to the Deputy Commissioner, Tumkur District for purpose of training of Central Secretariat Section Officer is sanctioned for a period of 3 months from 17th May 1975 to 16th August 1975.

2. Miss. Suma Subbanna, Central Secretariat Section Officer is posted as Additional Headquarters Assistant in above post for the above said period.

3. She shall exercise all the powers and perform all the duties as are exercised and performed by the Headquarters Assistant under Section 10 (3) of the Karnataka Land Revenue Act 1964 (Karnataka Act No. 12 of 1964). The Additional Headquarters Assistant shall be subordinate to the Deputy Commissioner of the District except in such matters as the State Government may by order specify in this behalf.

4. The regular Headquarters Assistant will continue to be in charge of the Eelction and Census work.

By Order and in the name of the Governor of Karnataka,

H. MARIGOWI

233 *Under Secretary to Government,*
Revenue Department.

REVENUE SECRETARIAT

Notification No. RD 29 GHR 75

Bangalore, dated 20th February 1975.

S. O. 1284.—In exercise of the powers conferred by Section 3 of the Karnataka Public premises (Eviction of Unauthorised occupants) Act, 1974 (Karnataka Act No. 32 of 1974) and in supersession of Notification No. RD 133 GHR 1966 dated 30th January 1967, the Government of Karnataka hereby appoint the Chairman and Managing Director, Karnataka Small Industries Corporation and Ex-Officio Director of Industries and Commerce (Industrial Estates) to be the competent officer for the purposes of the said Act and direct that the said officer shall exercise the powers conferred and perform the duties imposed on the competent officers by or under the said Act, in respect of the public premises situated within the Industrial Estates in the State of Karnataka.

By Order and in the name of the Governor of Karnataka,

J. T. BORKER,

2235 *Under Secretary to Government,*
Revenue Department.

SOCIAL WELFARE AND LABOUR SECRETARIAT

Order No. SWL 171 LLD 75,

Bangalore, dated 12th May, 1975.

S. O. 1286.—WHEREAS the Government of Karnataka are of opinion that an industrial dispute exists between the workmen and the management of Murigappa Chigateri & Sons, post box No. 1, Davanagere, on the points noted below.

AND WHEREAS the Government of Karnataka consider it desirable to refer the dispute for adjudication.

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947), the Government of Karnataka hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute

'Are the management of M/s. of Murigappa Chigateri & Sons, Davangere, justified in treating the absence of Sri Busnur Veerabhadrappa, Ex-worker as abondonment of service ?

If not, to what relief the workman is entitled?'".

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secretary to Government,

228 *Social Welfare and Labour Department.*

HOME SECRETARIAT

Notification No. HD 697 SST 74.

Bangalore, dated 28th February 1975.

S. O. 1287.—In exercise of the powers conferred by Section 3 of the Commissions of Inquiry Act, 1952 (Central Act 60 of 1952) and all other powers enabling the Government in this behalf, the Government of Karnataka hereby further amends the Notification No HD 697 SST 74 dated 9th December 1974 as amended by the Notification Nos. HD 697 SST 74 dated 3rd January 1975 and 29th January 1975 as follows :—

In the said Notification, for the words and figures "before the 28th February 1975", the words and figures "before the 31st March 1975" shall be substituted.

By Order and in the name of the Governor of Karnataka

K. S. RAJAGOPAL,
Under Secretary to Government,
2301 *Home Department.*

Notification No. HD 34 PCR 75.

Bangalore, dated 9th April 1975.

S. O. 1288.—In exercise of the powers conferred by Section 9 of the Indian Christian Marriage Act, 1872 (Central Act, 15, 1872), the Government of Karnataka hereby grants license to Rev. Jose Kuthottungal, No. 5. Promanade Road, Frazer Town, Bangalore-5, authorising him to grant Certificate of Marriage to Indian Christians under the said Act, in Karnataka State.

By Order and in the name of the Governor of Karnataka,

K. S. L. SASTRY,
Under Secretary to Government,
71 *Home Department.*

REVENUE SECRETARIAT

Notification No. RD 29 GHR 75

Bangalore, dated 20th February 1975.

S. O. 1284.—In exercise of the powers conferred by Section 3 of the Karnataka Public premises (Eviction of Unauthorised occupants) Act, 1974 (Karnataka Act No. 32 of 1974) and in supersession of Notification No. RD 133 GHR 1966 dated 30th January 1967, the Government of Karnataka hereby appoint the Chairman and Managing Director, Karnataka Small Industries Corporation and Ex-Officio Director of Industries and Commerce (Industrial Estates) to be the competent officer for the purposes of the said Act and direct that the said officer shall exercise the powers conferred and perform the duties imposed on the competent officers by or under the said Act, in respect of the public premises situated within the Industrial Estates in the State of Karnataka.

By Order and in the name of the Governor of Karnataka,

J. T. BORKER,

2235 *Under Secretary to Government,*
Revenue Department.

SOCIAL WELFARE AND LABOUR SECRETARIAT

Order No. SWL 241/(2) LLD-75.

Bangalore, dated 14th May 1975.

S. O. 1285.—WHEREAS the Government of Karnataka are of opinion that an industrial dispute exists between the workmen and the management of Manjunatha Motor Service, Nanjangud, on the points noted below.

AND, WHEREAS the Government of Karnataka consider it desirable to refer the dispute for adjudication.

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947), the Government of Karnataka hereby refer the said dispute for adjudication to the Labour Court at Bangalore.

Points of Dispute

"Are the management of Manjunatha Motor Service, Nanjangud, justified in terminating the services of Sri R. Rajashekar, Driver, with effect from 12th April 1973?

If not, is the said workman entitled for reinstatement with back wages and continuity of service or to any other relief?"

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,
Under Secretary to Government,
Social Welfare and Labour Department.

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HOME SECRETARIAT

Notification No. HD 33 PCR 75.

Bangalore, dated 9th April 1975.

S. O. 1289.—In exercise of the powers conferred by Section 9 of the Indian Christian Marriage Act 1872 (Central Act, 15, 1872), the Government of Karnataka, hereby grants license to Sri D. J. Subbarao, Vinobanagar Block No. 801/A of Hubli-20, authorising him to grant Certificate of Marriage to Indian Christains under the said Act in Karnataka State.

By Order and in the name of the Governor of Karnataka

K.S.L. SASTRY,
Under Secretary to Government,
74 *Home Department.*

Notification No. HD 75 TMA 75.

Bangalore, dated 21st April 1975.

S. O. 1290.—In exercise of the powers conferred by Rule 316 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka being satisfied that the Motor Vehicles described in the schedule below belonging to Parent Teachers Association, St. Aloysius College High School, Mangalore can be used in public place without any danger to the public safety, hereby exempts the said vehicles from the provisions of sub-rule (1) of rule 201 and clause (ii) of sub-rule (1) of rule 200 of the said rules for purposes of plying them within the limits of Karnataka State.

SCHEDULE

Chassis No.	*Engine No.*
344050 4721652	692 DO 247 22255

Overall length—28' 3"
Overall width—8'.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,
Under Secretary to Government,
144 *Home Department.*

HOME SECRETARIAT

Notification No. HD 697 SST 74

Bangalore, dated 1st April 1975.

S. O. 1291.—In exercise of the powers conferred by Section 3 of the Commission of Inquiry Act, 1952, (Central Act 60 of 1952), and all other powers enabling the Government in this behalf the Government of Karnataka hereby further amends the Notification No. HD 697 SST 74, dated 9th December 1974 as amended by the Notification Nos. HD 697 SST 74 dated 3rd January 1975, 29th January 1975 and 28th February 1975 as follows :—

In the said Notification, for the words and figures "before the 31st March 1975", the words and figures "before the 30th April 1975" shall be substituted.

By Order and in the name of the Governor of Karnataka,

K. S. RAJAGOPAL,

17 *Under Secretary to Government,*
Home Department.

CORRIGENDUM No. HD 80 TMT 74.

Bangalore, dated 22nd March 1975.

S. O. 1292.—Insert the figures "20-3-1975" after the word "from" occurring in line 4 and delete the word "Honorary" occurring before the words "Assistant Secretary" occurring in line 5 of the Notification No. HD 80 TMT 75, dated 20th March 1975.

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,

Under Secretary to Government,

10 *Home Department.*

HOME SECRETARIAT

Notification No. HD 71 TMA 75

Bangalore, dated 25th March 1975.

S. O. 1293.—In exercise of the powers conferred by Rule 316 of the Karnataka Motor Vehicles Rules, 1963, the Government of Karnataka being satisfied that the motor vehicles described in the Schedule below belonging to the Corporation of the City of Bangalore, can be used in public place without any danger to the public safety, hereby exempts the said vehicles from the provisions of clause (i) of sub-rule (1) of rule 200 of the said rules for purposes of plying them within the limits of Karnataka State.

SCHEDULE

(Omnibuses)

Sl. No.	*Chassis No.*	*Engine No.*
1.	J4S-5-FC-HM-223554	JC 6271
2.	J4S-5-FC-HM-215151	JC 4351
3.	J4S-5-FC-HM-223561 Overall width—7'-10½''	JC 6304

By Order and in the name of the Governor of Karnataka,

K. P. RAMAKRISHNA,

9 *Under Secretary to Government,*
Home Department.

REVENUE SECRETARIAT

Notification No. RD 68 MET 74.

Bangalore, dated 8th October 1974.

S. O. 1294.—In exercise of the powers conferred by clause (a) of sub-section (1) of Section 12 read with sub-section (1) of Section 13 of the Madras Hindu Religious and Charitable Endowments, Act, 1951 (Madras Act 19 of 1951), as in force in the Mangalore and Kollegal area, the Government of Karnataka hereby reconstitutes an Area Committee for all temples other than the temples included in the list published under Section 38 of the said Act situated in Kollegal Taluk and appoints the persons specified below to be the members of the said committee. The said members shall hold office for a period of three years from the date of the publication of this notification in the Official Gazette.

Names of the members :—

1. Sri M. Siddamadaiah, M. L. A. Kollegal.
2. Sri Chikka Maigowda, Chairman, Agricultural Produce Marketing Committee, Kollegal.
3. Sri Masana Setty, M. L. C. and sitting member of the Backward Class Commission.

By Order and in the name of the Governor of Karnataka

S. T. VENKATARAMA RAO,
Under Secretary to Government,
Revenue Department.

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REVENUE SECRETARIAT

Notification, No. RD 27 LRA 74.

Bangalore, dated 21st November 1974.

S. O. 1295.—In partial modification of Government Notification No. RD 27 LRA 74 dated the 5th July, 1974, Shri Vasantha Chiploonkar of Mala village is appointed as a member of the Tribunal of Karkala Taluk in place of Shri M. Veerappa Moily who has expressed his inability to continue as a Member of the said Tribunal he having been appointed as the Minister of State for Small Scale Industries.

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE,
Asst. Spl. Officer for L. R. and Ex-officio
Under Secretary to Government,
1516 *Revenue Department.*

Notification No. RD 27 LRA 74.

Bangalore, dated 22nd/23rd November 1974.

S. O. 1296.—In partial modification of Government Notification No. RD 27 LRA 74, dated the 5th July 1974, Shri F. M. Khan, M. L. C. is appointed as a member of the Tribunal of Somwarpet Taluk in place of Shri. R. Gundu Rao, who has expressed his inability to continue as a Member of the said Tribunal he having been appointed as the Minister of State for Information and Youth Services.

By Order and in the name of the Governor of Karnataka,

N. B. SAKHARDANDE,
Asst. Spl. Officer for L. R. and Ex-officio
Under Secretary to Government,
1582 *Revenue Department.*

RURAL DEVELOPMENT AND CO-OPERATION SECRETARIAT

Notification No. RDC 43 VEL 75

Bangalore, dated 19th May 1975.

S. O. 1297.—In exercise of the powers conferred by Section 202B of the Karnataka Village Panchayats and Local Boards 1959 (Karnataka Act 10 of 1959), the Government of Karnataka hereby makes the following amendments to Notification No. S.O. 741 (RDC 15 VEL 75) dated 1st March 1975, namely:—

In the Schedule to the said Notification (i) in the entries relating to Sl. No. 90, for the entry in column (2), the following entry shall be substituted, namely:—

"Magadi"

(ii) in the entries relating to Sl. No. 91, for the entry in column (2), the following entry shall be substituted, namely:—

"Anekal";

By Order and in the name of the Governor of Karnataka,

Y. RUPLA NAIK,

Secretary to Government,
Rural Dev. and Coopn. Department.

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